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HISTORY OF LABOR IN THE UNITED STATES, 1896-1932



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HISTORY OF LABOR IN THE UNITED STATES, 1896-1932

VOLUME IV

Labor Movements

BY

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PREFACE

The present volume, Volume IV of the *History of Labor in the United States*, resumes the account of the development of organized labor in America at the point where it was left in Volume II, namely the end of the depression of the 'nineties. Volume III gives a history of labor conditions and employer policies, by Professor Don D. Lescohier, as well as a history of protective labor laws, by Miss Elizabeth Brandeis. The authors of this volume wish to attest their unbounded indebtedness to Professor John R. Commons for his intellectual guidance and personal inspiration.

The authors also wish to express their indebtedness to numerous Wisconsin students whose doctoral theses have been used in the preparation of this book. Individual students have been given specific credit in footnotes to the text. Thanks are also due to the staffs of the Wisconsin State Historical Society and of the Library of the University of Wisconsin, notably to Miss L. Beecroft, Mrs. A. Evans, Miss M. Foster, and D. Lamont. Miss Patricia Adams, secretary to Professor Commons, has been a most patient and devoted helper.

S. P.
P. T.

August, 1935.

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LABOR MOVEMENTS, 1896–1932

SECTION I

MASS ADVANCE AND REPULSE, 1896–1910

CHAPTER I

CONCLUSIONS FROM PAST EXPERIMENTATION

At McKinley's first inauguration the American labor movement was seventy years old. We dated its beginning in 1827, when a number of individual trades in Philadelphia joined together in the Mechanics' Union of Trade Associations.[1] Its history during these seven decades was a record of continuous experimentation with programs and strategies, in an incessant search for a mode of operation which would secure to labor a maximum improvement in conditions together with a most stable organization and a minimum opposition from the remainder of the community. The programs have varied all the way from simple striking for wages and hours to the sophisticated "greenbackism," which, it was believed, would assure to the workingman the boon of self-employment. In its strategy labor tried everything from anarcho-syndicalist violence to moral uplift through mutual exhortation. And all the time the activity of the labor movement—for it is *experimentation* only in retrospect but fate-determining *activity* to the actors at the time—was being influenced, if not determined, by the ups and downs of the business cycle, by the expansion of markets and technological revolutions, by war and inflation, by population movements, by the advent of the giant corporation and the "trust," and by the other forces in American life too numerous to mention. By 1897, when the sun of prosperity, a mere pale northern sun for a year or two, began to shine upon the labor movement, its leadership, with Samuel Gompers at the head, had drawn many significant conclusions from all that past "experimentation." They were as follows:

1. The aspiration towards self-employment through the self-governing or co-operative workshop was a snare and a delusion. Yet this aspiration had gripped the minds of both leaders and membership as no other aspiration. While in England the self-governing workship was the pet scheme of the "ethical" intellectual reformers, who introduced it to labor, in this country the idea of the co-operative workshop needed no sponsoring from the out-

[1] Commons and Associates, *History of Labour in the United States*, Vol. I, p. 186.

side. To the American worker, who hankered to be rid of the capitalist "boss," a co-operative "self-bossing" had seemed almost as desirable as the self-employment of an independent individual—until he learned by experience how hateful co-operators may be to one another. Another attraction was the true self-governing character of this sort of undertaking and its freedom from any control outside the immediate circle of the co-operative fraternity. The strength of this natural attraction may be judged from the attitude of William H. Sylvis, the foremost leader in the sixties, who, notwithstanding that he was the efficient and systematic head of the most aggressive national trade union of the time, the Iron Molders' National Union, proclaimed that trade unionism was a mere palliative, and that labor's salvation could come only from co-operation. Producers' co-operation was thus a dangerous competitor to trade unionism, a competitor for the interest, enthusiasm, and limited resources of the labor movement. But the danger was even greater: the two activities were gravely incompatible. Antagonism would soon appear between the small group of co-operators and the remainder of the organized members who remained in private employment. First, the co-operative workshop, in order to get a market, would be ready from the beginning to undersell the capitalistic manufacturer, to the detriment of the labor standards in his shop. Second, in that small number of cases where the co-operative shop, by virtue of a fortunate selection of industrious and mutually congenial co-operators and of a good sellers' market for its products, became a going concern, it, from these very causes, failed as a co-operative. For, when the business expanded and the working force was increased, the additions were certain to be made on the basis of hired labor. Furthermore, before long, the bulk of the stock of the association would find its way into the hands of the "smarter" co-operators. Thus, in the end, the whole labor movement had bled and failed for the sake of the elevation to the status of capitalists of a few workingmen. The failure of the producers' co-operative movement in the eighties by the Knights of Labor at last laid this hard dying aspiration to rest.

2. American labor, prior to the nineties, had been prone to identify itself in outlook, interest, and action with the great lower middle class, the farmers, the small manufacturers and business men—in a word, with the "producing classes" and their periodic

"anti-monopoly" campaigns. As a result the organized wage earners would periodically be drawn into the whirlpool of politics under the banner of the "anti-monopoly" parties, invariably suffering dissensions and frequently disintegration. The farmer movements have always been notoriously unstable and their political movements even more so. Hence these "producing classes" alliances hindered the labor organizations from gaining stability, and caused them for decades to be mere sieves into which membership poured only to pour out again. Separation in organization and mental outlook, but not necessarily in sympathy, from the farmer movements, was a most pressing necessity.

3. A succession of "tests" of the reaction of the American community to proposals of revolutionary change in the institution of private property, from Skidmore's "stunt" in 1829 down to the Chicago "anarchists" of the eighties, had invariably evoked the same disastrous result. Thus the Chicago anarchists, with a full-blown program of revolutionary syndicalism in all but the name itself, were made to feel the ferocious self-defense of a gigantically growing and self-satisfied community against those who would import the methods and aspirations of Russia and of Spain. Later, in the Pullman Strike of 1894, the labor movement saw how the courts, the Federal Executive, and the ruling forces in the country could be counted on to act as one in crushing any real or fancied industrial rebellion. From this experience—for, according to Gompers, the Haymarket bomb in Chicago in 1886 defeated the national eight-hour movement of that year—the leaders of the American Federation of Labor concluded that under no circumstances could labor afford to arouse the fears of the public for the safety of private property as a basic institution. Labor needed the support of public opinion, meaning the middle classes both rural and urban, in order to make headway with its program of curtailing the abuses which attend the employers' unrestricted exercise of his property rights. But any suspicion that labor might harbor a design to do away altogether with private property, instead of merely regulating its use, immediately threw the public into an alliance with the anti-union employers.

4. These same experiences which have demonstrated that labor is in a minority position in the American community, have led to American labor's distrust of government authority, which is so

puzzling to Europeans. Experience, notably in the Pullman strike case, has taught American labor leaders that, whatever may have been the avowed purpose when powers were extended to the government, and whatever may have been the express assurances given to labor that such powers would never be used against labor, it is all in vain when a crisis breaks, like a strike in a vital industry, and when the powers *that be* feel that with some stretching perhaps, the law might be applied to suppress labor's effort. The "voluntarism" or anti-governmentalism of the Gompers group was not the result of an assiduous study of Herbert Spencer but of Attorney General Olney's invoking the Sherman Anti-Trust Law and the Interstate Commerce Act against the striking railway men. Throughout history every group with a "minority consciousness" feared strong government.

5. This possible harm from increasing the government's power was offset only meagerly by the chance of positive achievements through labor protective laws. The experience of the labor movement with the crop of the general eight-hour laws passed in the sixties, as well as Gompers' own experience with anti-tenement house manufacture laws in New York State, demonstrated the inadequacy of the political instrument when put to use by labor. The Federal basis of our government which erects forty-nine legislative fronts for labor to be active on, instead of one as in Great Britain, and the separation of powers within each sovereign unit, especially the dictatorial power of the judiciary to annul legislation, have turned the American labor movement towards that stubborn "economism" which remains the despair of upper and middle class humanitarians. For, economic action, strikes and boycotts, notwithstanding court injunctions, could not be rendered as ineffectual as have been attempts at reform by legislation.

6. But not alone the inherent weakness of the state as an instrument of economic reform militated against placing reliance upon it. The established mode of procedure for getting control of that instrument—namely, the American political party system so essentially different from the European, created an additional and most serious obstacle. After many attempted independent labor parties, American labor was obliged to come to the reluctant conclusion that to compete with the "old" parties by naming a rival ticket was to court defeat and often disaster. The "old" parties in this country have shown themselves, when forced by the

situation, capable of a flexibility of one hundred and eighty degrees in their platforms, with extraordinary dexterity at "stealing the thunder" and the voters of the new party. As the "old" parties are out primarily to get from the voters the contract to run the government, they, like good business men, are not rigid about consistency with their own past professions or actions. Also the "workers" of the old parties have shown a remarkable gift for infiltrating any new or labor party and causing dissensions not alone in the party counsels but in the sponsoring labor organizations themselves. Hence, the Gompers group concluded, let us refrain from such disastrous competition with the established political concerns, but let us bargain with them instead. "Reward your friends and punish your enemies!"

7. Together with the eschewing of independent labor parties went the rejection of the intellectuals as possible leaders of the labor movement. The intellectual might go from success to success in conquering the minds of the middle class; the labor movement largely remained closed to him. We noted that the American labor movement became shunted from the political arena into the economic one by virtue of fundamental conditions of American political institutions and political life. However, it is precisely in political activity where the intellectual is most at home. The clear-cut logic and symmetry of political platforms based on general theories, the broad vistas which it may be made to encompass, and lastly the opportunity for eloquent self-expression offered by political debates, all taken together exert a powerful attraction for the intellectualized mind. The intellectuals are also the protagonists of socialism in its many varieties and by their conspicuous presence tend to increase the vulnerability of the labor movement to attack.

8. Another lesson from the past was the realization of the extreme danger of "dualism" in organization. The overshadowing problem of the American labor movement has always been the problem of staying organized. No other labor movement has ever had to contend with the fragility so characteristic of American labor organizations. In the main, this fragility of the organization has come from the lack of class cohesiveness in American labor. The American unions after a decade of the weakening competition with the Knights of Labor, have seen the need of ruthless suppression of "dual" unions and of "outlaw" strikes. It would seem as

though, through this practice, they have tried to make up for a lack of spontaneous class solidarity, upon which European unions could reckon with certainty. British workers act together in strikes notwithstanding the rivalry between their unions. Hence British labor leaders can view with relative equanimity the competition of two or even more unions for membership in the same jurisdiction, i. e., the same craft, or industry, and secessions from existing unions. —But the experience of American unionism has been that, with some few exceptions, whenever "radical" or merely impetuous local leaders defied their own union constitution with an "outlaw" strike, or where factions have broken away to form a more "progressive" rival to the old union, the resulting fratricidal war, including mutual "scabbing," has always led to an all around defeat of labor, and to a total collapse of all organization. Hence came the "organization consciousness" of the young American Federation of Labor, arisen, as was shown, as a self-protective move by the trade unions against the engulfing strategy of the Knights of Labor, which, pending their total absorption, plagued these unions with the tactics typical of "dualism." In the minds of the Gompers group, to foster dualism was perhaps the one unforgivable sin in a labor organization, and the only fit punishment was ruthless suppression.

The suppression of dualism indeed became the paramount function of the American Federation of Labor when it succeeded in 1886 the shadowy Federation of Organized Trades and Labor Unions of the United States and Canada, modeled upon the British Trades Union Congress. It is this function of the Federation as labor's "department of the interior," a function largely invisible to the outside world, which has built up the American labor movement.

9. Gompers and his associates were under no delusion as to the true psychology of American workingmen, particularly as regards the practicable limits of their solidarity. They knew that where wage earners were held together by the feeling that their jobs came out of a common job reservoir, as did those in the same or in closely related crafts, their fighting solidarity left nothing to be desired. They also knew, however, that they had to go slow in pressing on to greater solidarity. Where conditions made co-operation between different craft groups urgent, it was best obtained through free co-operation, each union reserving the right to decide for itself in

every situation whether to co-operate or not. Thus, as with allied sovereign states, solidarity in action remained dependent on the sense of honor of each ally instead of on compulsion. Solidarity of the skilled with the unskilled was not precluded, but it was never assumed as a matter of fact or of moral duty. Rather it was assumed that a labor group that needed outside aid to give it the original impulse to assert its independence was something of a questionable addition to the family of organized labor.

Solidarity, as understood by this group, was thus a solidarity with a quickly diminishing potency as one passed from the craft group—which looks upon the jobs in the craft as its common property for which it is ready to fight long and bitterly—to the widening concentric circles of the related crafts, the industry, the American Federation of Labor, and the world labor movement.

10. The new leaders of the American labor movement were even more conscious of the immigrant problem than the Knights of Labor, which had pioneered the first legislation to restrict free immigration. They had learned that to workers employed in a given industry, a new wave of immigrants, generally of a new nationality, meant a competitive menace to be fought off and to be kept out of the industry. The emphasis on the closed shop had among other objectives that of preventing the employer from preparing for a future showdown with the union by attaching to himself immigrant employees, who, due to the social and cultural gulf between themselves and their unionized American fellow employees, could be influenced to align themselves with the employer. With all that, the leaders of the Federation, many of them former immigrants, knew that once the natural leaders in an immigrant group had been reached by the gospel of unionism, the immigrant, instead of continuing a liability, became an asset. Whether the immigrant was treated as a potential asset or an immediate danger depended on circumstances and on the idealism of a particular leader.

11. In the nineties the trade agreement became one of the most generally accepted principles and aspirations of the American labor movement. The basic idea of the trade agreement is that of collective bargaining rather than arbitration. The agreement is made by direct negotiation between the two organized groups, the employers being willing to deal with the officers of the union as representatives of their employees, and the sanction which each holds

over the heads of the other is the strike or lockout. If no agreement can be reached, the labor organization insists on its right to refuse arbitration.

The trade agreement, identical with "recognition," but not necessarily including the "closed shop" or the stipulation of exclusive employment of union members, is a written constitution of a new type of government, an *industrial government*, established by bargaining as an organized group. Underlying this system of government is a consciousness of limited job opportunities—a situation which required that the individual, both in his own interest and that of the group to which he immediately belonged, should not be permitted to occupy any job opportunity except on the condition of observing the "common rule" laid down by his union. The safest way to assure this group control over job opportunity,—though also a way so ideal that only a union as favored as the Typographical Union was able to actualize it entirely—was for the union, without displacing the employer as the owner of his business and risk taker, to become the virtual owner and administrator of the jobs. Where such an outright "ownership" of the jobs was impossible the union would seek, by unlimited collective bargaining with the employer, to establish "rights" in the job, both for the individual and for the whole group, by incorporating, in the trade agreement, regulations applying to overtime, to the "equal turn," to priority and seniority in employment, to apprenticeship, to the introduction and utilization of machinery, and so forth. Thus the industrial government envisaged by unionism was a highly integrated government of unionized workers and of associated employer-managers, jointly conducting the government with "laws" mandatory upon the individual employer and employee. With industrial government so conceived, the American Federation of Labor broke away from the middle class and farmer reformers on the "trust" issue. It declared unequivocally that the "trusts" were an inevitable economic development before which the law was completely helpless, but that its power could be controlled to society's advantage under an industrial government in which it would be checked by the power of the fully "recognized" trade union.[2]

[2] See Perlman, S., *A History of Trade Unionism in the United States*, Macmillan, New York, 1922, Chaps. 6 and 14; *A Theory of the Labor Movement*, Macmillan, New York, 1928, Chap. V.

Such was the mental baggage of the labor movement on the eve of its unprecedented expansion during 1898–1904.

This expansion of unionism was to take place in an America of national and international markets, of production increasingly concentrated in powerful corporations, of feverish technological change, and of the peak of mass immigration; in an America which had left behind with the depression of the nineties the demand for cheap money and related panaceas; in brief in an America in which "high capitalism," ensconced in the New York financial district, controlled transportation and to a great extent manufacturing and mining, and carried presidential elections by pointing to the farmer's prosperity and to the worker's "full dinner-pail."

The Mass Advance and Repulse of Unionism, 1898–1910, will be given statistically as well as through accounts of the concrete behavior of the principal groups. The American labor movement is not in the main a common movement by virtue of any central strategy but by virtue of the common desire of the several craft and industrial groups for "recognition" and "job control." Consequently the advance as well as the repulse of the movement can best be seen in connection with the fates of the individual union groups. On one of these independent fields of action we shall see the miners, America's banner industrial unionists, teaching their employers in the bituminous field the principles of industrial government, and also wresting in the anthracite field from a small and closely knitted group of large corporations the first and hardest victory of informal recognition. We shall observe the oldest and most seasoned group of America's craftsmen, the printers, attaining the eight-hour day through long range planning and firmness in execution. But contrasting with the sure footed printers, we shall watch the young unions of the Chicago teamsters and of the New York subway employees succumbing to the infantile disorder of reckless aggressiveness and lack of discipline. Another young union, the meat packers, will be seen equally defeated but at the hands of an implacable antagonist. But above all, attention will be centered on the defeat in the struggle against the United States Steel Corporation in 1901, followed by two later defeats, one again in steel and the other of the seamen on the Great Lakes, where steel dominated shipping. The defeat by steel was all the more decisive since it helped to determine the fate of unionism in the metal manufacturing industries, which were on the threshold of

becoming America's great mass production industries. Interestingly enough, it was almost a decade after the event that the leaders of the labor movement discovered that in the apparently second rate battle of 1901 they had fought and suffered a defeat analogous to Germany's at the Marne. In the chapter on the building industry the reader will be acquainted with the pitfalls of industrial government, and in the chapter on the San Francisco labor movement he will see an American species of labor dictatorship. Finally will come the Employers' Mass Offensive, the open shop movement of 1903–08, and labor's attempt to effect a political *démarche* against anti-union employers and injunction judges.

CHAPTER II

THE SPREAD OF UNIONISM

The importance of the trade union expansion during the period of 1898–1904 is in the fact that it was not limited to any section; that it was not confined to urban districts; and that there was both a swelling in the tide of new members and a widening of the territory touched by organized labor. With the year 1897 the American labor movement begins a steady upward climb, which continues until 1904, when it is temporarily halted.

TABLE I

TOTAL MEMBERSHIP OF AMERICAN TRADE UNIONS, 1897–1911 [1]

YEAR	MEMBERSHIP	YEAR	MEMBERSHIP	YEAR	MEMBERSHIP	YEAR	MEMBERSHIP
1897	447,000	1901	1,124,700	1905	2,022,300	1909	2,047,400
1898	500,700	1902	1,375,900	1906	1,958,700	1910	2,184,200
1899	611,000	1903	1,913,900	1907	2,122,800	1911	2,382,800
1900	868,500	1904	2,072,700	1908	2,130,600		

The membership figures show that the steady growth was halted in 1904, and that between 1904 and 1910 there was practically no increase in membership. In the years between 1904 and 1910 the total increase in membership was 112,000, a smaller increase than in any year between 1899 and 1904, and only about 1000 more than in the year 1898–99.

The membership of the American Federation of Labor, to which the four railway brotherhoods and several other organizations do

TABLE II

MEMBERSHIP OF AMERICAN FEDERATION OF LABOR

YEAR	MEMBERSHIP	YEAR	MEMBERSHIP	YEAR	MEMBERSHIP
1897	264,825	1902	1,024,399	1907	1,538,970
1898	278,016	1903	1,465,800	1908	1,586,885
1899	349,422	1904	1,676,200	1909	1,482,872
1900	548,321	1905	1,494,300	1910	1,562,112
1901	787,537	1906	1,454,200	1911	1,761,835

[1] Wolman, Leo, *The Growth of American Trade Unions, 1880–1923*, National Bureau of Economic Research, New York, 1924, p. 33.

TABLE III

Total Charters Issued by American Federation of Labor and International Unions, and Total Charters Surrendered, 1899–1910

Year	Charters Issued		Charters Surrendered		Total Issued	Total Surrendered	Net Increase
	A. F. L.	Inter.	A. F. L.	Inter.			
1899 [a]	450	1,814	103	182	2,264	285	1,979
1900 [b]	849	2,894	183	260	3,743	443	3,300
1901 [c]	916	3,140	602 [d]	548	4,056	1,150	2,906
1902 [e]	1,024	4,513	569 [f]	783	5,537	1,352	4,185
1903 [g]	1,322	7,083	1,043	872	8,126	1,915	6,211
1904 [h]	443	3,567	1,234	1,409	4,010	2,643	1,367
1905 [i]	287	1,819	426	1,933	2,106	2,359	253 [j]
1906 [k]	317	2,011	491	1,422	2,328	1,913	415
1907 [l]	373	2,575	413	1,250	2,948	1,663	1,285
1908 [m]	234	2,019	317	1,121	2,253	1,438	815
1909 [n]	129	1,347	117	1,128	1,476	1,345	131
1910 [o]	248	2,194	166	1,347	2,442	1,513	929

[a] American Federation of Labor, *Proceedings*, 1899, p. 24.
[b] *Ibid.*, 1900, p. 26.
[c] *Ibid.*, 1901, p. 36.
[d] 146 absorbed by newly formed nationals and internationals.
[e] American Federation of Labor, *Proceedings*, 1902, pp. 30–31.
[f] 66 joined international unions.
[g] American Federation of Labor, *Proceedings*, 1903, pp. 40–42.
[h] *Ibid.*, 1904, pp. 45–47.
[i] *Ibid.*, 1905, pp. 45–47.
[j] Decline.
[k] American Federation of Labor, *Proceedings*, 1906, pp. 47–49.
[l] *Ibid.*, 1907, pp. 55–57.
[m] *Ibid.*, 1908, pp. 49–51.
[n] *Ibid.*, 1909, pp. 53–55.
[o] *Ibid.*, 1910, pp. 69–71.

not belong, shows the same trend as that of the general labor movement.[2]

The year 1904 was the end of a steady rise, and the membership did not exceed the 1904 level until 1911.

In considering the changes in membership it is desirable to examine whether it was mainly a swelling of the membership of already existing organizations, or whether it was accompanied by a large increase in the number of functioning unions. The following table gives the number of charters issued to and surrendered by local, Federal, city central, state, and international unions, between 1899 and 1910.

An examination of the preceding table shows that the issuance of charters considerably declined after 1904. In only the one year, 1907, between 1904 and 1910 did the net increase of charters exceed 1000. In view of the fact that often local unions retain their charters even after they have ceased to be active and vital organizations, the net decrease in the number of actively functioning organizations is greater than shown by these figures.

The above figures fail to reveal whether the gains in membership and organization were limited to one section of the country, whether they were confined to the larger urban centers, or to particular industries. The determination whether organized labor actually penetrated into the less urban sections during its upward march, and whether it was tending to become a part of the American "culture pattern" is essential to an understanding of the most important period of independent development, 1898–1904, ever experienced by organized labor in the United States. In trying to discover the geographical "spread" one is confronted with a number of serious difficulties. Trade union statistics are not collected in every state. In states where statistics of union membership are compiled, no uniformity of method or tabulation exists. Nevertheless, the sample is large enough and sufficiently adequate for some insight into the geographical expansion of organized labor in the period of 1898–1904, and its contraction during 1904–10.

An examination of Table IV shows the driving force of organized labor in the period of 1898–1904. During this time labor unions were established in 108 communities in New York State, and the number of organizations outside of New York City was increased

[2] American Federation of Labor, *Proceedings*, 1911, p. 101.

TABLE IV

Distribution of Unions and Union Membership in New York State, 1898–1912 [3]

Year	Organizations		Membership		Increase in Membership		Cities and Villages with at Least One Organization	Percentage of Membership of First and Second Class Cities
	New York City	Remainder of State	New York City	Remainder of State	New York City	Remainder of State		
1898	440	647	125,429	45,638			87	90.5 [b]
1899	477	843	141,687	67,333	16,258	21,695	106	88.2 [b]
1900	502	1,133	154,504	90,877	12,817	23,544	132	86.3 [b]
1901	515	1,356	174,022	102,119	19,518	11,242	140	84.6 [b]
1902	579	1,650	198,055	131,046	24,033	28,927	162	81.2 [b]
1903	653	1,930	244,212	151,386	46,157	20,340	195	82.4 [b]
1904	670	1,834	254,719	136,957	10,507	14,429 [a]	187	84.8 [b]
1905	667	1,735	251,277	131,959	3,442 [a]	4,998	186	84.9
1906	678	1,742	260,008	138,486	8,731	6,527	188	85.2 [c]
1907	712	1,785	286,180	150,612	26,172	12,126	200	85.1 [c]
1908	704	1,740	239,538	132,921	46,642 [a]	17,691 [a]	196	84.4 [c]
1909	699	1,669	243,157	129,572	3,619	3,349 [a]	195	85.2 [c]
1910	722	1,735	337,509	144,415	94,352	14,843	195	87.3 [c]
1911	736	1,762	357,071	147,243	19,562	2,828	201	87.9 [c]

The 8 first and second class cities are New York, Buffalo, Rochester, Syracuse, Albany, Schenectady, Utica, and Troy.

[a] Decrease.

[b] *Ibid.*, 1905, pp. clxxiii-clxxv.

[c] Yonkers is added to the first and second class cities making nine in all.

[3] New York Department of Labor, *Report of Bureau of Labor Statistics*, 1911, pp. xxxix, xli.

almost 300 per cent. Labor unionism pushed its tentacles into every section of the State, and the rate of growth of organized labor in the smaller towns and villages was greater than in the first and second class cities. Labor unionism was becoming a State-wide institution, and it was breaking down the barriers and prejudices of the smaller communities.

In the predominantly rural state of New Hampshire organized labor shows during this period the same capacity to penetrate into new territory. With virtually no organization prior to 1898, there were no fewer than 88 local unions in 11 towns in 1902, and by July 1, 1904, the number had increased to 139 in 13 cities and towns.[4]

In Maine, in 1902, 32 cities and villages reported 174 unions with a membership between 10,000 and 12,000. In 1904 the number of unions reporting was 257, but the following year only 212 reported. These were located in 50 cities with a total membership of about 13,000. The upward trend was resumed in 1905, reaching a membership total in 1907 of close to 17,000 in 68 cities and towns.[5]

For Missouri, as for New York, separate figures are available for the three large cities and the remainder of the State. Table V will demonstrate the intensive as well as the extensive growth of unionism in the period of 1900–04. The peak was reached at the beginning of 1903. The decline in organization and in membership was marked in the cities as a result of the intensive open shop campaign centering in St. Louis; while in the outlying places unionism managed to hold its own.

In 1900, 11 Minnesota cities reported 206 unions, having a total membership of 19,021. The report for 1902 showed 297 organizations with 28,338 members in 17 cities. So far as membership was concerned this was the peak for the whole period due to unsuccessful strikes in packing and flour milling in the Twin Cities in 1903. Organization, however, continued to expand in the interior, the communities having at least one organization increasing from 17 to 25 in 1903–04, and to 28 in 1905–06. Four years after the peak year of 1902 the forward movement in membership was resumed

[4] New Hampshire State Bureau of Labor, *Fourth Biennial Report*, 1902, pp. 234–247; *Fifth Biennial Report*, 1904, pp. 299–335.

[5] Maine Bureau of Industry and Labor Statistics, *Sixteenth Annual Report*, 1902, pp. 75–94; *Seventeenth Annual Report*, 1903, pp. 20–49; *Eighteenth Annual Report*, 1904, p. 200; *Nineteenth Annual Report*, 1905, pp. 58–60.

TABLE V

TRADE UNION ORGANIZATIONS AND MEMBERSHIP IN MISSOURI AND IN THE THREE LARGEST CITIES OF MISSOURI, 1900–10

YEAR	ORGANIZATIONS			MEMBERSHIP			PERCENTAGE OF MEMBERSHIP IN THREE CITIES
	Three Cities [a]	Remainder of State	Total	Three Cities [a]	Remainder of State	Total	
1901 [b]	286	113	399	38,770	8,014	46,784	83
1902 [c]	307	103	410	45,608	6,818	54,426	84
1903 [d]	371	264	635	63,022	16,391	79,413	79
1904 [e]	404	337	741	73,838	24,262	98,102	75
1905 [f]	326	298	624	57,710	24,321	82,032	70
1906 [g]	309	300	609	54,661	22,122	76,783	71
1907 [h]	333	309	642	58,289	22,988	81,277	72
1908 [i]	342	310	652	55,260	21,637	76,897	72
1909 [j]	339	303	642	54,153	21,063	75,216	72
1910 [k]	325	298	623	53,964	20,901	74,865	72

[a] The three cities are St. Louis, Kansas City, and St. Joseph.
[b] State of Missouri Bureau of Labor and Statistics, *Twenty-third Annual Report*, 1901, p. 340.
[c] *Ibid.*, *Twenty-fourth Annual Report*, 1902, pp. 144–148.
[d] *Ibid.*, *Twenty-fifth Annual Report*, 1903, pp. 260–266.
[e] *Ibid.*, *Twenty-sixth Annual Report*, 1904, pp. 298–304.
[f] *Ibid.*, *Twenty-seventh Annual Report*, 1905, pp. 327–333.
[g] *Ibid.*, *Twenty-eighth Annual Report*, 1906, pp. 500–502.
[h] *Ibid.*, *Twenty-ninth Annual Report*, 1907, pp. 692–698.
[i] *Ibid.*, *Thirtieth Annual Report*, 1908, pp. 779–780.
[j] *Ibid.*, *Thirty-first Annual Report*, 1909, pp. 451–454.
[k] *Ibid.*, *Thirty-second Annual Report*, 1910, pp. 247–248.

with an increase of almost 7000 for the biennium of 1907–08, or a total membership of 34,775.[6]

Michigan shows a membership of about 10,000 in 111 organizations in 1898 followed by a slight decline to 8500 in 1899. However, the unions increased their membership to 13,000 in 1901, and brought it to a total of 27,000 in 1902. The following year witnessed a sensational rise to a total of 43,000 in 589 unions, a net gain of 14,000 members and 253 unions. Three years later membership had declined to approximately 39,000. The Michigan figures show with especial clarity the extent of the penetration into the smaller communities of the State during 1898–1904, as well as the impetus of organization during the years 1901–03 together with its arrest.[7]

[6] Minnesota Bureau of Labor, *Seventh Biennial Report*, 1899–1900, pp. 289–299; *Eighth Biennial Report*, 1901–02, pp. 451–454; *Ninth Biennial Report*, 1903–04, pp. 295–296; *Tenth Biennial Report*, 1905–06, pp. 365–366; *Eleventh Biennial Report*, 1907–08, p. 83.

[7] Michigan Bureau of Labor and Industrial Statistics, *Sixteenth Annual Report*, 1899, pp. 93–103; *Seventeenth Annual Report*, 1900, p. 55; *Nineteenth Annual Report*, 1902, p. 53; *Twenty-first Annual Report*, 1904, pp. 161–162; *Twenty-fourth Annual Report*, 1907, p. 340.

In Iowa during 1897–1900, 184 unions were added to the 212 previously in existence. The total membership was more than 26,000 in 88 communities. In 1902 Iowa had over 44,000 members in 830 unions located in 123 communities. The biennium of 1903–04 witnessed a loss of membership of 3000, and the following biennium a total loss of 19,000 from the peak. So far as organizations were concerned, 1903–04 witnessed a falling off, namely a net increase of 142 unions but an increase of six communities having at least one organization. During 1906–07 the number of unions declined by 26, but since only 431 of a total of 662 reported their membership as 33,593, it is proper to conclude that many of these were in a state of virtual suspension. Three years later the number of organizations had declined to 462, located in 57 communities, of which 204 reported an aggregate membership of 12,000.[8]

The ebb and flow of the tide of unionism during this period in the non-industrial State of Iowa is a significant measure of the advance of the union pattern of feeling and thought into the native, non-urbanized America and its later repulse. In the country as a whole, this pattern, basically alien to the individualistic tradition of America, was unable to take permanent root in the face of the furious employer counter assault.[9] Unionism thereupon withdrew to more hospitable surroundings, the urban centers and the solidly wage-earning communities of the mining regions, and from these vantage points sought to repel the attacks upon it. In addition to the geographical confinement of unionism there was an occupational confinement: in the main only trades in which the elements of craftsmanship still remained, stayed open to unionism.

[8] Iowa Bureau of Labor Statistics, *Ninth Biennial Report*, 1899–1900, p. 175; *Tenth Biennial Report*, 1901–02, pp. 202–203; *Eleventh Biennial Report*, 1903–04, p. 161; *Thirteenth Biennial Report*, 1906–07, p. 181; *Fourteenth Biennial Report*, 1908–09, p. 249.

[9] See Chapter XIII.

CHAPTER III

THE PATTERN OF INDUSTRIAL GOVERNMENT

Stirrings amongst the handful of unionized bituminous coal miners left after the disastrous general strike of 1894 were the first convincing signs of an impending general revival in the labor movement.[1] The common risks, the relative isolation of the mining communities, and the absence of other industries have bred an extremely strong sense of solidarity among those employed in the mines, a solidarity which overrides craft distinctions. The United Mine Workers of America, following its predecessors, has consistently practiced industrial unionism. Once a man is employed in or around the mine, whether he is an actual coal digger, a craftsman of the two dozen or more auxiliary trades, or a mere laborer, he is eligible for membership in the United Mine Workers. However, in "ideology" the miners' union conformed to type.

Following the defeat of 1894 the industry lapsed into complete demoralization. Bituminous mining was at that time even more than at present a small-enterprise industry, particularly susceptible to the ravages of cut-throat competition. With the restraining influence of the union gone, the vicious circle of price and wage cutting operated unchecked. Wages had fallen in the thick vein from 65 cents a ton to 28 and 30 cents and in the thin vein from 79 cents to between 47 and 50 cents. Chronic unemployment added to the miners' distress. The mass displacement of the English-speaking miners by Slavs and Italians in the early nineties enabled the operators to reduce wages and other standards with impunity. But the operators scarcely profited from their free hand with labor. In their unbridled competition for markets they had effected, between 1891 and 1897, a reduction in the average price of coal ranging from 11 per cent in Illinois to 28 per cent in West Virginia. The majority operated at a loss despite the exactions of the company store, the abuse of the screen system, and outright dishonesty in dockage.[2]

[1] Commons and Associates, *op. cit.*, Vol. II, pp. 501–502.

[2] Suffern, A. E., *Conciliation and Arbitration in the Coal Industry of America*, Houghton Mifflin and Company, Boston, 1915, pp. 39–43.

In 1897 when the miners' limit of endurance had apparently been reached, the union was in a far from vigorous state. The average paid up membership had declined between 1894 to 1897 from 17,628 to 9731 and the outlook for improvement of conditions in the industry seemed rather dim.[3] Yet the convention of 1897 decided to attempt resistance all along the line. It demanded an increase in the rates for mining, so adjusted as to place the districts comprising the Central Competitive Field upon competitive equality. The scale demanded was 69 cents per ton in Pennsylvania (Pittsburgh district), 60 cents in Ohio and Indiana, and 55 cents in Illinois (Grape Creek district). The time for the enforcement of the demand was left to the discretion of the National Executive Board.[4]

The wage demands were presented to the operators, and some of them were ready and willing to grant higher wages provided the principle was generally applied throughout the Central Competitive Field. One of the leading opponents of the higher wage policy was the New York and Cleveland Gas Company which controlled extensive coal properties in the Pittsburgh field. During April 1897, President Ratchford, of the Miners' Union, conferred with United States Senators Hanna and Quay and James W. Elsworth, a prominent coal operator, and asked their assistance in bringing about a more liberal wage policy by the New York and Cleveland Gas Company. The Company refused to yield, which meant a continuation of the low wage policy in the coal fields.[5] While the union was straining all of its influence to bring about an increase in wages, a number of Illinois coal companies announced wage reductions, averaging in some sections 20 per cent, effective on May 1, 1897. Similar announcements had been made in Pennsylvania, Ohio, and Indiana.[6]

At the beginning of June President Ratchford informed his Executive Board that his efforts to secure wage increases had been unsuccessful. Instead of improvement, he claimed that the continued guerrilla warfare amongst the operators had led to wage decreases "all along the line." The officers were also informed of

[3] George, J. E., "The Coal Miners' Strike of 1897," *Quarterly Journal of Economics*, January 1898, p. 199; Warne, Frank Julian, *The Coal Mine Workers*, New York, Longmans, 1905, p. 218; *United Mine Workers' Journal*, January 13, 1898.

[4] Ohio State Board of Arbitration, *Fifth Annual Report*, 1897, p. 27.

[5] *Chicago Times-Herald*, July 14, 1897.

[6] Illinois State Bureau of Labor Statistics, *Sixteenth Annual Report*, 1897, "Concerning Coal in Illinois," p. 161.

the union's unfavorable financial condition, and they were requested to offer their advice by mail as the organization was unable to afford the expense of bringing the Executive Board to a meeting at Columbus.[7]

Consultation by correspondence having been found unsatisfactory, the district presidents and members of the Executive Board were summoned to Columbus on June 26 and 27. The situation was thoroughly canvassed, and a general stoppage of mining of bituminous coal was ordered for July 4, 1897.[8]

On July 2 the Executive Board appealed to the miners to join the stoppage "to prevent any further reduction [in wages] taking place and to secure for us a living rate of wages that will enable us to live as Americans ought to, so as to realize from our labor at least a sufficiency to provide for the necessities of life. . . ." [9] The response to the strike order surprised even the most sanguine friends of labor. More than 100,000 miners threw down their picks and joined the walkout during the first four days of the strike.[10]

Acting in co-operation with the Ohio Board of Arbitration, the labor commissioners of Illinois and Indiana proceeded to Pittsburgh, where they met with the labor commissioners of Pennsylvania and West Virginia, and a group of operators. The strike was discussed, but the attempt to bring about a settlement was unsuccessful.[11]

Organized labor recognized the importance of the struggle. On July 9 a conference of nationally known labor leaders, under the direction of Samuel Gompers, met at Pittsburgh to devise ways and means of helping the coal strike. The suspension had paralyzed the Central Competitive Field, extending also to Kentucky and Tennessee. The crucial point in the struggle was West Virginia, and Samuel Gompers urged the labor movement to furnish men and money to aid the miners in their attempts to paralyze the West Virginia coal fields. Headquarters under the direction of William D. Mahon, president of the Amalgamated Association of Street Railway Employees, were established at Charleston. The State was divided into three districts, a nationally prominent labor

[7] *United Mine Workers' Journal*, January 13, 1898.
[8] *Ibid.*, January 13, 1898.
[9] *Chicago Times-Herald*, July 3, 1897.
[10] *Ibid.*, July 9, 1897.
[11] Ohio Board of Arbitration, *Fifth Annual Report*, 1897, pp. 28–31.

leader was placed in charge of each, and the most efficient organizers of the different national unions were rushed into the territory.[12]

The orderly conduct and self-control of the miners gained them considerable public support. Governor Tanner, of Illinois, publicly extolled the miners' struggle for a decent standard of living. Despite the great hardships and suffering amongst the strikers, the end of the first week showed the leaders confident of victory.

A network of union organizers was spread over the West Virginia coal fields, and as a result many miners began leaving their jobs despite offers of increased wages and bonuses. Amongst the most active propagandists for the strike in West Virginia were James R. Sovereign, Grand Master Workman of the Knights of Labor, and Eugene V. Debs. The companies did not remain quiescent in the face of the attack. Speakers and organizers were "run" out of town, and the courts began issuing injunctions forbidding union activities.[13]

The action of the authorities hampered the efforts of organized labor to force a shutdown of the West Virginia coal mines. In order to devise means of handling the menacing situation President Ratchford called a meeting of prominent labor leaders. The only one who rejected the invitation was P. M. Arthur, of the Brotherhood of Locomotive Engineers, who, while professing sympathy for the coal miners, excused his refusal to participate by announcing that his organization was not involved in the struggle. Gompers warmly indorsed the meeting, and urged the heads of national organizations to be present at Wheeling on July 27.[14]

The day before the opening of the Wheeling conference, Judge Mason, of the Circuit Court of West Virginia, issued an order restraining Eugene V. Debs, *et al.* from interfering with the employees of the West Fairmont and Monongahela Coal and Coke Companies. Debs was the most active and popular labor organizer in West Virginia, and his services as a speaker were in constant demand.[15]

The conference at Wheeling was attended by a majority of

[12] West Virginia, *Report of Commissioner of Labor*, 1897–1898, pp. 63–65; *Chicago Times-Herald*, July 10, 1897.
[13] *Chicago Times-Herald*, July 16, 20, 21, 1897.
[14] *Ibid.*, July 24, 1897.
[15] West Virginia, *Report of Commissioner of Labor*, 1897–1898, p. 72.

nationally known labor leaders. The conference determined to challenge the illegal usurpations of the authorities and make a determined effort to organize the State. An appeal in behalf of the strike was made to the American people, and organized labor was urged to hold meetings and rally public support behind the strike.[16] Samuel Gompers, Michael D. Ratchford, and James R. Sovereign were chosen as a committee to visit the governor and protest against the violation of civil rights. The committee was cordially received by the governor, who expressed his sympathy for the strikers, but informed them that he was unable to interfere with the courts.[17] Despite the opposition of the local authorities and the courts, leading labor officials toured the West Virginia coal area after the Wheeling conference, and held numerous meetings.[18]

In the Pittsburgh district, the New York and Cleveland Gas Company was the most important non-union operator. An irreconcilable opponent of unionism, its unyielding hostility stood in the way of a settlement. Energetic attempts to paralyze its operations were being made, but the Company managed to operate at reduced capacity. The Company evicted strikers from their homes, and because of its size and importance, no settlement could be made without its acquiescence.[19]

On August 24 the first meeting between the representatives of both groups took place. No settlement was reached. Despite a great deal of hardship and suffering, the miners' enthusiasm had not lessened. A great deal of public support had been won by the peaceful attitude of the strikers, and on August 24 the Governor of Indiana publicly expressed his approval of the walkout and urged the citizens of his state to aid the strikers.[20]

Another conference between the representatives of miners and operators was held in September at Columbus, Ohio. After a two days' session a compromise was effected. The miners agreed to accept, temporarily, the rate of 65 cents a ton based upon the thin vein district of Pittsburgh. The wage question was to be submitted to a committee of arbitration which was to set wages within the limits of 60 and 69 cents a ton. An agreement to hold a joint meeting of miners and operators during December 1897 for the

[16] *Ibid.*, pp. 69–72.
[17] *Chicago Times-Herald*, August 4, 1897.
[18] *Ibid.*, August 11, 1897.
[19] *Ibid.*, August 23, 1897.
[20] *Ibid.*, August 25, 1897.

purpose of fixing mining rates for the following year was also made.[21]

Widespread opposition to the agreement developed. A special convention to consider the terms met in Columbus, Ohio, on September 8. Two hundred and forty-six delegates were present, and after four days of heated discussion, the Executive Board's recommendation to terminate the strike and accept the above proposals was accepted by a vote of 490 to 370.[22]

Although the terms of settlement did not meet with universal approval amongst the strikers, the outcome of the contest was a great victory for the union and unionism. On the eve of the strike, the union's treasury was empty and its membership at the lowest point in its history. Nevertheless, its call was answered by tens of thousands, and at the end of the struggle it found its membership increased tenfold and authorized to speak for the workers of the most important coal area in the United States. It was an almost miraculous revival. Besides the stabilizing influence on the miners' organization, the 1897 strike had a most inspiring effect upon the general labor movement. Here was a source of hope: a demoralized union challenging powerful national interests and winning the most important labor victory in a decade. The 1897 strike also encouraged and developed the agreement system. In all it was a notable victory for labor.

But over the field of victory the shadow of future defeat—a defeat, to be sure, as yet two decades away—was already discernible. The failure of the union campaign in West Virginia was ominous. It was clearly recognized in 1897 that West Virginia was the key to the problem; but even then, when the operators were not so well organized and unionism was more sympathetically received, no one had learned to manipulate the key.

Following the strike it was agreed that representatives of the miners and operators of the Central Competitive Field should meet in Chicago during January 1898 and devise a scale which would enable the coal producers of Ohio, Illinois, Indiana, and Western Pennsylvania to compete upon terms of relative equality. The meeting remained in session for several days and on January 26 the joint agreement of 1898 was adopted. It provided that an equal price for mining screened lump coal should prevail in Ohio, Indiana,

[21] *United Mine Workers' Journal*, January 13, 1898.
[22] *Cleveland Record*, September 9–17, 1897.

and Western Pennsylvania and that the block coal district of Indiana was to pay ten cents per ton over that of Hocking Valley, Western Pennsylvania, and Indiana bituminous districts. Regulations governing payment of pick run of mine coal and size and type of screen were adopted. An advance of ten cents per ton, of two thousand pounds, for pick mined screen coal was to take effect in Western Pennsylvania, Hocking Valley, and Indiana bituminous districts on April 1, 1898; and Grape Creek, Illinois, and the bituminous district of Indiana were to pay forty cents per ton of run of mine coal, based upon a sixty-six cents rate per ton for screened coal in the Ohio, Western Pennsylvania, and Indiana bituminous districts. After April 1, 1898, eight hours were to constitute a day's work in all the districts represented and day labor was to be paid uniform wages throughout the whole area. The same relative prices and conditions between machine and pick mining that had existed in different states were to be continued during the term of the contract.[23] The same agreement made universal through the Central Competitive Field the practice of the check-off first introduced by the Ohio miners in 1889. The check-off is the deduction by the operator from the miner's wages of union dues and assessments to be turned over to the union treasury. The union's defense of the demand was that the operators had been deducting for a variety of purposes, such as rent, medical and hospital service and purchases in company stores.[24]

The purpose of the Interstate agreement was to make it possible for each district to produce coal at a price which would enable it to be sold in fair competition with every other district, the principal object being so to regulate the scale of mining as to make the cost of production practically the same in one district as in another, regardless of whether the earnings of the miners were equal.[25] Differences in the distance from the market, the thickness of the seam, and variations in the roof were considered. Rates were fixed so as to enable the less favorably situated operator to sell his coal under conditions approaching equality.[26]

[23] *United Mine Workers' Journal*, February 3, 1898.

[24] King, F. A., "The Check-off System and the Closed Shop among the United Mine Workers," *Quarterly Journal of Economics*, August 1911, pp. 730–731.

[25] Testimony of John Mitchell before the Industrial Commission, *Report of Industrial Commission*, Washington, 1901, XII, p. 698.

[26] Lubin, Isadore, *Miners' Wages and Cost of Coal*, McGraw-Hill, New York, 1924, p. 73; testimony of Herman Justi, Commissioner of Illinois Coal Operators' Association, before Industrial Commission, *Report of Industrial Commission*, XII, p. 678.

From the standpoint of the union, the Interstate agreement was a great achievement. It broke down a quarter of a century later due to the inability of the union to draw some of the important non-union regions under its control. The story of the breakdown is reserved for another section.[27] However, it is pertinent to consider some of the objections subsequently raised by opponents concerned with so-called "social efficiency." The argument was to the effect that the handicap placed upon the richer districts made for inefficiency and social waste. It is significant that the union never permitted this argument to influence its policy. The union saw as its purpose the protection of the job opportunities of its members. It is easy for economists and efficiency experts to talk of closing down inefficient mines, but this involves depriving of their livelihood thousands of workers, many of whom were the pioneers and founders of unionism in the coal industry. The union may be open to criticism for not pushing its organization campaigns in the non-union districts with greater vigor, but certainly it cannot be attacked for failing to sacrifice its best and loyal members to "efficiency." It happens that the thin vein districts were the original habitat of the union. It is here that the union was reared and its first major battles were fought. It is here also that the miners established independent communities built on home ownership.

The mining agreement, coming as it did on the eve of an upswing in labor organization, pointed the way to a new type of government, a government in industry based on a voluntary cooperation of two independently organized groups with conflicting interests. Herein was its contribution to American history.

In 1902 the spirit of this industrial constitution was clearly expressed by the joint conference. It was to "rest upon correct business ideas, competitive equality and upon well recognized principles of justice." In a further statement the conference announced that it was seeking to avoid friction between employer and employee so as to eliminate strikes and lockouts, and to encourage the carrying out of the agreements both in letter and in spirit.[28]

Following the Interstate agreement, it became customary for

[27] See Chapter XLI.

[28] *Eleventh Special Report of the Commissioner of Labor*, Washington, 1904, pp. 390–392.

the miners and operators to meet in each district and adjust the rates in the district on the same principle followed in the Central Competitive Field. A number of Illinois operators refused to accept the agreement, claiming that they were unable to meet the excessive wage charges.[29] This refusal led to a physical test of strength to determine whether the still fragile industrial government was to survive.

On the day the scale was to go into effect the Chicago-Virden Coal Company shut down its mines. The lockout continued until June 1898, when both miners and operators joined in a request for the intervention of the State Board of Arbitration, and agreed to abide by the Board's decision. After listening to evidence from both sides, the Arbitration Board ruled that the Company should abide by the Springfield scale of 40 cents per ton run of mine. The Company rejected the decision, and the lockout continued until August, when the Company agreed to submit the question to the National Executive Board of the United Mine Workers and abide by its decision. Again the union's position was upheld, and again the Company refused to abide by its agreement.[30]

The Pana Coal Company even refused to negotiate with the union, and strikes were called at the Springside, Pana, and Pevevell mines. The companies surrounded their properties with stockades, imported armed guards and Negro strikebreakers, and constructed barracks on the inside to house them. The strikers greeted these activities with hostile demonstrations, and the companies appealed to the Governor for troops. The Governor refused.[31]

The Pana Company continued its efforts, despite the danger signals. On September 29 and 30 armed miners from Pana and the surrounding sections took possession of the town. The Negro strikebreakers had been armed with rifles and shot guns, and a clash seemed imminent. A report that an additional trainload of strikebreakers was on its way to Pana galvanized the strikers into action. The train was flagged two miles from town, and while armed men surrounded the cars, a committee searched them. Fifty Negro strikebreakers were removed, and returned on another

[29] Testimony of Herman Justi before Industrial Commission, *Report of Industrial Commission*, XII, p. 683; Illinois State Bureau of Labor Statistics, *Seventeenth Annual Report*, "Concerning Coal in Illinois," 1898, p. 5.

[30] *Chicago Record*, October 15, 1898; Illinois State Board of Arbitration, *Fourth Annual Report*, 1899, pp. 19–22.

[31] *Chicago Record*, August 27, September 2, 1898.

train. The following day Pana was again excited by a report that a shipment of strikebreakers was on the way. Armed men filled the streets, ready to extend the newcomers a warm reception. The report was unfounded, but the Governor felt that troops were necessary to preserve order. A company of militia was dispatched to Pana, but it was ordered not to aid in the operation of the mines.[32]

During October the Chicago-Virden Coal Company began importing strikebreakers. Governor Tanner, who had shown his friendship for the miners during the 1897 strike, served notice that he would oppose the importation of armed Negroes, and if necessary he would send the militia to protect the strikers.[33] An attempt to dry up the source of strikebreakers by the Afro-American Labor and Protective Association of Birmingham, Alabama, failed.

Shortly before noon of October 12 word was received at Virden that a trainload of strikebreakers was on the way. Miners, armed with rifles and shot guns, lined the tracks awaiting the arrival of the men. The train came through without stopping at the Virden station. Shots were exchanged between the miners and the occupants of the cars, as the train approached the city. When the train approached the stockade, a company of guards ran from the coaches. Immediately volleys of shots were poured from the stockade into the exposed miners. The strikers replied to the best of their ability. At the end of the skirmish, fourteen were dead, including eight strikers, and twenty-two wounded.[34]

The Company was held responsible by Governor Tanner, who denounced the strikebreakers as "criminal classes," and dispatched the militia to Virden to prevent further outbreaks. The day after the riot, the Company attempted to land a train of Negro strikebreakers, but the militia ordered the imported workers to remain on the train. Armed miners stood on the side watching the situation. The manager of the Company protested, but to no avail.[35] Warrants charging the officers of the Chicago-Virden Coal Company with murder were issued, and the militia was in complete control.[36]

[32] *Ibid.*, September 30, October 1, 5, 1898; *Chicago Times-Herald*, October 1, 1898.
[33] *Chicago Record*, October 10, 1898; Chris Evans, *History of the United Mine Workers of America from the Year 1860 to 1890*, published by the United Mine Workers of America, Indianapolis, 1918, Vol. II, p. 606.
[34] *Chicago Record*, October 13, 14, 1898; *Chicago Times-Herald*, October 13, 1898.
[35] *Chicago Record*, October 14, 1898.
[36] *Ibid.*, October 15, 1898.

Governor Tanner was bitterly assailed by the Company. In defense of his conduct he issued a slashing answer in which he denounced the Chicago-Virden Coal Company as an "international outlaw," which "had sent agents into Alabama and through false reports had induced Negroes to come to Illinois, loading them on trains like cattle, locking the doors of the cars and feeding them like stock and procuring the services of armed guards from a detective agency and invading the state in an illegal manner." [37]

Less than a week after the riot the Company dismissed its detectives against whom charges of murder had been filed.[38] On November 15 the Company agreed to conform to union conditions, and also agreed to dismiss the engineers and managers who had been unduly active against the strikers.[39]

On November 17 general fighting between strikers and Negro workers again flared up at Pana. The strikebreakers charged through the streets armed with Winchesters and shot guns. It was only the timely arrival of the troops which prevented a repetition of Virden. The soldiers were re-enforced, and martial law was declared on November 21, 1898.[40]

The strike at Pana continued until October 10, 1899, when the companies surrendered and accepted the union's conditions, after an eighteen months' struggle.[41] The conflicts at Pana and Virden demonstrated to the operators the determination of the union to force compliance with the new wage structure which aimed at stabilizing competitive conditions. The new industrial government in bituminous coal mining was solidified in the process.

[37] *Ibid.*, October 14, 1898.
[38] *Ibid.*, October 18, 1898.
[39] Illinois State Bureau of Labor Statistics, *Seventeenth Annual Report*, "Concerning Coal in Illinois," 1898, pp. 15–16.
[40] *Chicago Record*, November 18–22, 1898.
[41] Illinois State Bureau of Labor Statistics, *Eighteenth Annual Coal Report*, 1899, pp. ii–iii.

CHAPTER IV

LABOR'S GREATEST TACTICAL SUCCESS

Practically the entire available supply of anthracite coal in the United States is found in a relatively small area of northeastern Pennsylvania. Ninety-six per cent of the anthracite coal used in the United States is obtained in the five counties of Lackawanna, Luzerne, Schuylkill, Northumberland, and Cambria.[1] Anthracite mining early succumbed to monopoly conditions. This naturally made the union's task more difficult.

In 1871 President Franklin B. Gowen, of the Philadelphia and Reading Railroad Company, managed to evade the provisions of the Company's charter which forbade it from engaging in mining. An "Improvement Company" was organized which acquired 80,000 acres of coal lands. Other railroad companies followed suit and acquired many thousands of acres. Thus the social, political, and industrial control of the region passed into the hands of a few corporations.[2]

The check on the employers in the form of a miners' organization which had operated in the sixties was eliminated in the seventies and eighties. The Workers' Benevolent Association flourished in the anthracite field after the Civil War, and in 1869 a sliding scale of wages was introduced. The miners were to be paid in accordance with the "basis price" of coal and any increase in the "basis" was to be followed by an increase in wages. On April 2, 1870, the Anthracite Board of Trade, embracing all the operators in the southern district, announced a wage reduction. A strike followed which lasted until July, and the "Gowen" compromise was accepted. The "basis" scale was retained in the agreement, but the scale of wages was to slide downward as well as upward.[3] The sliding scale later became a source of irritation to the workers, and the United Mine Workers fought for its abolition after 1900.

In January 1871 the northern operators announced their in-

[1] *Eleventh Special Report of the Commissioner of Labor*, Washington, 1904, p. 485.
[2] Suffern, *op. cit.*, pp. 211–215.
[3] Virtue, G. O., "The Anthracite Mine Laborers," *Bulletin No. 13*, Department of Labor, pp. 736–737.

ability to pay prevailing wage rates, and sought a wage reduction amounting to 34 per cent on contract work. A strike followed, and the weaker operators soon yielded. The railroads, determined to preserve the low wage rates, raised their freight rates to a prohibitive level and forced the more conciliatory operators to suspend operations. In April a number of operators around Scranton attempted to work with non-union men. The strikers organized, drove the non-union men from the mines, and wounded three of them. The militia was hurried to the scene, but the strikers disarmed the soldiers, and drove the strikebreakers from the collieries. Through the mediation of a friendly operator the controversy was submitted to arbitration, although many miners and operators arranged their own terms.[4] No serious labor difficulties took place until January 1875, but the announcement of a wage reduction ranging from 10 to 25 per cent led to a six months' struggle, and to the unconditional surrender of the union.[5] Unionism was completely eliminated from the anthracite field. Following the defeat of unionism the problems of organization were complicated by a change in the type of worker employed in the region. Until the seventies the men employed in the mines were mainly of English, German, Irish, Scotch, and Welsh nationality. During the seventies a new type of worker entered the region, and soon the district was inundated by large numbers of Southern and Eastern Europeans. More than 20 languages were spoken in the region.[6] The English-speaking groups, comprising 94 per cent of the population in the anthracite region in 1880, formed less than 73 per cent in 1890, and 52 per cent in 1900. From less than 2 per cent of the foreign-born workers in 1880, the central European races increased to 25 per cent in 1890 and to over 46 per cent in 1900. The new arrivals were accustomed to and willingly accepted a lower standard of living, they were willing to work in more dangerous places, were content with working in thinner seams, and tolerated abuses by foremen that no English-speaking worker would endure.[7]

The increase in the number of Italian and Slavic workers, and the abandonment by the English-speaking workers of the anthra-

[4] *Ibid.*, pp. 738–741.
[5] *Ibid.*, p. 742.
[6] *Eleventh Special Report of the Commissioner of Labor*, 1904, p. 505.
[7] Warne, Frank Julian, "Slavs in Coal Mining," in Commons, John R., *Trade Unionism and Labor Problems*, Ginn and Company, New York, 1905, pp. 336–342.

cite area impeded the development of the fellow-feeling essential to the growth and survival of unionism. The numerous racial and national groups, with diverse customs and traditions, and often imbued with mutual antipathies and suspicions acquired in their native lands, made organization well-nigh hopeless.[8]

The destruction of the union led to the revival of the "company store." Deductions from the "basis" as a result of the operation of the sliding scale was also a source of dissatisfaction. In 1886 a joint committee representing both the Knights of Labor and the Amalgamated Association of Anthracite Miners succeeded in gaining wage increases from the Reading Coal Company. The operators in the Lehigh district asked for a change in the "basis" in 1887, but the men, who had suffered several wage decreases as a result of the declining coal prices, refused and asked for a raise in the "basis." The operators repeated the demand and a strike followed. The miners from the southern district supported the strikers financially, and their attempts to prevent the Reading Company from aiding the northern anthracite operators with shipments of coal led to a strike. It lasted from January to March 1888, and the men were completely defeated.[9]

The companies were supreme, and the coal roads which had acquired many of the mines dominated the area. In 1897 the evil of the company store was catapulted into public attention. The miners at Latimer struck against the exactions of the company store, formulated a set of demands, and began picketing. On September 10, 3000 miners were marching peacefully from Hazelton to Latimer to join in the picketing. They were met on the road by the sheriff and his deputies and ordered to disperse. The marchers failed to obey instantly. An order to fire was given, and the deputies emptied their weapons into the ranks of the unresisting paraders. Nineteen of the marchers lost their lives, and 40 were seriously wounded. Not a single weapon was found on the dead and wounded, many of whom were shot in the back while seeking to obey the sheriff's order. No overt act had been committed by the paraders, and the militia was called out to prevent further bloodshed.[10] The sheriff and his deputies were subsequently tried for murder, but the jury failed to agree.[11]

[8] Suffern, A., *op cit.*, pp. 222–223.
[9] Virtue, G. O., *op. cit.*, pp. 747–748.
[10] *New York World*, September 11–12, 1897.
[11] Evans, C., *op. cit.*, II, 610.

The growth of the miners' union in the bituminous field tended also to increase organization activity in the anthracite region. On July 12 the national office was asked by District No. 1 to call a conference of the three anthracite districts. The conference was called, and a delegate convention met at Hazelton and appointed a committee to meet the operators on August 27. The operators assumed an attitude of "nothing to discuss," and ignored the invitation. The committee therefore appealed for strike permission to the National Executive Board.[12] The National Board advised caution and readiness to strike.[13]

President John Mitchell of the United Mine Workers was anxious to forestall a strike, and appealed to the presidents of the nine coal roads which dominated the area. Mitchell offered arbitration, but the railroad executives rejected the offer, and complacently announced that their workers were not members of the union and that the United Mine Workers was not authorized to speak for their employees.[14]

The challenge was accepted, and 150,000 anthracite miners were ordered to cease work on September 12.[15] Immediately after the issuance of the strike order, President John Mitchell, soon to occupy in the public mind a position scarcely inferior to that of Gompers, appealed for public support by calling attention to the deplorable conditions of the anthracite miners.

Born of Scotch-Irish parents, Mitchell (1870–1919) entered the mines of Illinois at nine, and joined the Knights of Labor at 15. Going West in 1880, he failed to make his fortune, and returned to Illinois in time to participate in the 1889 strike and subsequently joined the United Mine Workers. In 1898 he was chosen national Vice-President of his union, and when Ratchford was appointed to the Industrial Commission, Mitchell became President, and was successively re-elected until 1908.[16] Amongst the labor leaders of his time, Mitchell was perhaps the most sensitive to the American environment. A cautious and careful strategist, he was ever aware of the potential hostility of the American community to unionism. His understanding of the American temper was largely

[12] United Mine Workers of America, *Minutes of the Twelfth Annual Convention*, 1901, pp. 28–29.

[13] *New York Tribune*, September 9, 1900.

[14] United Mine Workers of America, *Minutes of the Twelfth Convention*, 1901, p. 31.

[15] *New York Tribune*, September 13, 1900.

[16] Glück, Elsie, *John Mitchell*, John Day and Company, New York, 1929, pp. 3–37.

responsible for his successful leadership. His insight into the American social "set-up" led him to base the union's cause on American principles of fair play and justice, and he was alert to impress the clergy and influential public men with the high moral purpose of the union.

In a statement to the public Mitchell charged that the average yearly wage of an anthracite miner was $250. Despite the laws of Pennsylvania, fixing 2400 pounds to the ton, miners were compelled to mine from 2700 to 4000 pounds, and were docked often as high as 12 per cent of their daily earnings for impurities. The miners paid by the car, instead of being required to furnish a well-rounded heap on the breakers, were compelled to increase the amount in each car by building the heap perpendicularly from 6 to 18 inches above the edge. The miners were forced to pay exorbitant prices for their powder, and to trade at "pluck me" company stores. They also complained of being forced to pay a monthly doctor's fee of one dollar and of having no choice in the selection of their physicians.[17]

The operators realized that they were confronted by a movement of considerable dimensions. They immediately charged the union with trying to establish the closed shop. Mitchell emphatically denied the charge, and, stopping short of the demand for union recognition, proposed that the coal companies meet committees of their employees for the adjustment of grievances. He asked that announcements to this effect be posted not later than September 20.[18]

The coal companies ignored the proposal and the miners issued the following demands: reduction of the price of powder; abolition of the compulsory doctor's fee; semi-monthly payment of wages in cash; coal to be weighed, and 2400 pounds to constitute a ton; equal distribution of work; and the right of miners to employ checkweighmen. On wages the demands were that day laborers receiving less than $1.50 were to receive a 20 per cent increase; those receiving between $1.50 and $1.75 a 15 per cent increase; and all others a 10 per cent increase.[19]

About 80 per cent of the miners had left their jobs by September 17. The union had been extremely reluctant to begin the strike.

[17] *New York Tribune*, September 14, 1900.
[18] *Ibid.*, September 16, 1900.
[19] *Ibid.*, September 17, 1900.

Of the 142,500 miners employed in the anthracite only 8000 were members in good standing. Intense rivalry in anthracite localities, added to a polyglot population, complicated matters. To meet this situation the union dispatched a large force of organizers into the anthracite region as soon as the strike seemed imminent, who succeeded in welding the heterogeneous and unorganized mass into a disciplined army.[20]

The ranks of the strikers continued to increase. Picket lines were organized in an effort to induce the more timid ones to leave their jobs. A clash between pickets and deputies in the Schuylkill region resulted in the killing of a miner, and the wounding of a number of others. Immediately 2400 members of the National Guard were rushed to the scene.[21] This incident was practically the only violent clash during the strike. The strike continued to gain momentum, and leading coal operators were becoming convinced that the movement was not an ephemeral uprising that would soon disappear.

On September 26 the presidents of the coal roads conferred with J. P. Morgan, and rumors of an imminent settlement were heard in the coal district.[22] On October 1, the Philadelphia and Reading Coal and Iron Company announced a 10 per cent increase in wages.[23] A number of other companies followed the lead of the Philadelphia and Reading. Leaders of the union warned the miners against stampeding back to work.[24]

The union was faced with a serious situation. The overwhelming majority of the strikers had not been members of the union before the strike, and there was danger of a precipitous "back to the job" movement which would destroy the leadership of the union in the anthracite field. A convention to discuss the situation was called for October 12, and 857 delegates, representing every colliery in the anthracite field, were present. After a two days' session, the convention decided to accept a 10 per cent wage increase, provided the operators agreed to its payment until April 1, 1901; demanded the abolition of the sliding scale in the Lehigh and Schuylkill regions, and that the companies agree to adjust all

[20] United Mine Workers of America, *Minutes of the Twelfth Annual Convention*, 1901, pp. 33–34.
[21] *New York Tribune*, September 23, 1900.
[22] *Ibid.*, September 27, 1900.
[23] *Ibid.*, October 1, 1900.
[24] *Ibid.*, October 2, 1900.

grievances with their employees. The convention agreed to submit the proposals to arbitration if the operators found them unsatisfactory, and cautioned the strikers against returning to work until the conditions had been formally accepted.[25]

The independent operators met in conference and decided to accept the above conditions, provided the larger companies would go along. On October 17 the Philadelphia and Reading announced the abolition of the sliding scale and a 10 per cent increase in wages. A number of other large producers followed, and by October 29 the union officers ordered the men to return to their jobs. President Mitchell admitted that the union had not won all of its demands, but improvements in conditions and wage increases had been gained, and he felt that it was to the best interest of the union to end the walkout.[26]

The outcome of the strike was a decided victory for unionism. For the first time the entire anthracite region had acted as one group, and district jealousies had been overcome in favor of the general interest. The strike was very skillfully directed, the men retaining public favor until the end of the struggle. Considering the heterogeneous population and the antipathies easily aroused against the southern European, the retention of favorable public sentiment was no easy task. It was chiefly due to the avoidance of violence, to the conciliatory attitude of John Mitchell, and his skillful presentation of the issues, and to his appeal to justice and fair play rather than to class interest. The outcome of the struggle vindicated the tactics employed. It is true that the victory was far from complete, but the important achievement was that the labor army returned to work disciplined and intact, prepared to begin its future struggles as an organized force. A great gain was that the union, which entered the struggle with 8000 members in good standing in the anthracite coal field, came out with a membership, however temporary, of more than 100,000 in the same territory.[27]

The settlement of the 1900 strike was unpalatable to the anthracite coal operators and accepted only under outside pressure. The union failed to gain recognition but it was tolerated. In 1901 the union was faced with the problem of finding a basis for renew-

[25] *Ibid.*, October 13, 14, 1900.
[26] *Ibid.*, October 18, 26, 1900.
[27] United Mine Workers of America, *Minutes of the Twelfth Annual Convention*, 1901, pp. 35–36.

ing the agreement expiring on April 1. The Tri-District convention, held in February 1901, voted to send telegrams to the nine leading anthracite coal companies inviting them to participate in a joint conference which was to seek to devise a scale of wages and conditions mutually agreeable to both parties. The operators ignored these overtures, and subsequently President Mitchell dispatched letters to the same operators inviting them to be present at a joint conference at Hazelton, Pennsylvania, on March 15.[28] The invitation was declined and Mitchell and the three presidents of the anthracite districts were empowered to wait upon the operators in New York City for the purpose of arranging a joint conference at a future date or of ascertaining the operators' intentions towards the union. The miners' delegation finally secured an interview with the president of the Erie Railroad Company, who had been delegated to act for the leading operators. He rejected the idea of a joint conference, but he agreed that the wage scale should be extended for one year. Moreover, he stipulated that the different companies would treat with committees of their employees and take up any grievance.[29]

The extension of the wage scale to April 1, 1902, merely postponed the controversy. The nub of the difficulty was the refusal of the dominant coal companies to accept unionism as an integral part of the industry. Despite their tacit acceptance of the union, the operators utilized every opportunity to weaken it and to interfere with its functions. Active union men were frequently discharged, and the inspection of union cards was not allowed upon company property.[30] The companies were not yet convinced that the union was a permanent institution in the industry.

The anthracite situation was discussed at the miners' national convention of 1902, and President Mitchell and the National Executive Board were instructed to co-operate with the officers and with the members of the anthracite districts in bringing about a joint conference of the operators and of the miners prior to April 1, 1902. The anthracite miners were assured of the moral and financial support of all of the organized miners in the United States.[31]

[28] United Mine Workers of America, *Minutes of Joint Conference of Districts 1, 7, and 9*, 1901, p. 8.
[29] *Ibid.*, *Minutes of the Thirteenth Annual Convention*, 1902, pp. 41–42.
[30] *Ibid.*, *Minutes of the Joint Convention of Districts 1, 7, and 9*, 1902, p. 22.
[31] *Ibid.*, *Minutes of the Thirteenth Annual Convention*, 1902, p. 129.

Pursuant to the instructions of the convention, President Mitchell sent a letter to the various anthracite coal carrying roads asking them to be represented at a joint conference of operators and miners to be held on March 12 at Scranton. The conference was to consider the formulation of a wage scale for the following year. The presidents of the coal roads firmly declined to confer with the union.[32]

Following the refusal of the operators to discuss the question, the Tri-District convention met at Shamokin, Pennsylvania, on March 18, and went on record demanding the recognition of the union, an increase in wages, the weighing of coal, an eight-hour day, and a uniform scale. Wages paid for an eight-hour day should not be less than the current ten-hour wage. In the event of a refusal by the operators to adopt the new scale before April 1, 1902, the officers were authorized to call a strike.[33]

The union was anxious to avoid an open break, and in an effort to bring about a settlement it appealed to the National Civic Federation [34] to use its good offices for a peaceful solution of the differences. Senator Hanna was instrumental in bringing about a meeting between Mitchell, the presidents of the three anthracite districts, and four of the leading operators. The operators refused to make any concessions, but before the ending of negotiations, the officers of the National Civic Federation asked for a thirty-day truce so as to make further efforts to bring about a peaceful settlement. Both sides granted the request, and a break was temporarily averted.[35]

At the expiration of the thirty-day truce the operators and miners again met with the Conciliation Committee of the Civic Federation. A sub-committee made up of representatives of the operators and miners discussed the questions at issue for two days, but no basis of agreement was discovered.[36]

The failure of the meeting compelled the union to take action. The executive boards of the three anthracite districts met and decided to make a final proposal to the operators. As a result,

[32] United Mine Workers of America, *Minutes of the Fourteenth Annual Convention*, 1903, p. 25.

[33] United Mine Workers of America, *Minutes of Joint Conference of Districts 1, 7, and 9*, 1902, pp. 25–28.

[34] See below, pp. 48ff.

[35] *New York Tribune*, March 28, 1902.

[36] United Mine Workers of America. *Minutes of the Fourteenth Annual Convention*, 1903, p. 28.

Mitchell presented the following demands to the presidents of the nine coal roads: the questions at issue were to be adjudicated by a committee of five, to be selected by the National Civic Federation. Should the above proposal be unacceptable to the operators, Mitchell proposed that a committee made up of Archbishop Ireland, Bishop Potter, and a third person selected by these two, were to be appointed to consider the wage question. Should they decide that the annual wage received by an anthracite coal miner was sufficient for him to live and to raise his family in accordance with American standards, the union would agree to withdraw its claims for wage increases and changes in working conditions, provided the operators would first agree to accept the recommendations of the committee.[37] The offer of the union was rejected. Following the rejection, the three anthracite executive boards advised the miners that the union had exhausted all its peaceful means of securing an improvement in wages and conditions. The men were instructed to abstain temporarily from work beginning May 12, and to select delegates to a Tri-District convention on May 14, where the final decision would be made.[38]

The convention met on May 14, and indorsed the strike order by a vote of 461 to 349.[39] A resolution requesting President Mitchell to summon a special national convention for the purpose of inaugurating a general suspension of mining in the United States in order to assist the anthracite miners in their struggle, was adopted.[40]

Many merchants in the anthracite region announced that no credit would be given to strikers.[41] The companies also took steps to protect their property against possible violence. Sixteen hundred commissions for coal and iron police were issued during the first two weeks of the strike.[42]

After the strike had been on for ten days, the executive boards of the anthracite districts demanded that firemen, pumpmen, and engineers, employed as safety men around the mines, should be placed upon an eight-hour basis with no decrease in pay. Unless the operators complied with this demand by June 2, the safety

[37] *Ibid.*, p. 29.
[38] *New York Tribune*, May 10, 1902.
[39] *Ibid.*, May 16, 1902.
[40] United Mine Workers of America, *Minutes of the Fourteenth Annual Convention*, 1903, pp. 30–31.
[41] *New York Tribune*, May 19, 1902.
[42] *Daily People*, May 31, 1902.

men would be withdrawn from the mines. The order for a strike of the safety men was obeyed by almost 80 per cent of the workers on the first day. The numbers involved continued to increase.[43]

At the beginning of June the coal companies began to advertise for "watchmen, able-bodied ex-policemen, soldiers and sailors, for out of town work; good wages. . . ." At the address given in the advertisement, a private detective representing the Lehigh Valley Coal Company was found recruiting men for the anthracite fields.[44] Violence was practically absent in the strike area in the first phase of the strike. The miners contented themselves with inflicting vicarious punishment upon the strikebreakers by burning them in effigy.[45] In the middle of June, evictions of strikers began around Wilkesbarre.[46]

On July 1 an attempt was made to attack one of the collieries around Old Forge during the night. A shot was fired and one of the miners was killed. It was not ascertained whether the fatal shot was fired by the guards lodged behind the stockade or by one of the miners.[47] The following day another striker was murdered at the William A. colliery at Duryea. Throughout the district a more aggressive spirit was manifesting itself. This was due to the attempts of many of the coal companies to employ strikebreakers. At Pottsville a large group of workers paraded through the town with bands and banners. Non-union men going to work were turned back.[48] One of the coal companies around Wilkesbarre, in order to induce its workers to return to the job, announced a 10 per cent bonus for men who remained at work.[49]

During July a convention was called by the United Mine Workers, in accordance with the clause in the constitution which compels the President to convene a national convention at the call of five districts. Although President Mitchell had received the necessary number of district indorsements for this call soon after the adjournment of the Tri-District anthracite convention, he waited some time before he issued the call.[50] He feared that a general

[43] *New York Tribune*, May 22, June 3, 5, 1902.
[44] *Daily People*, June 3, 1902.
[45] *Ibid.*, June 8, 1902.
[46] *Ibid.*, June 18, 1902.
[47] *New York Tribune*, July 2, 1902.
[48] *Daily People*, July 2, 1902.
[49] *New York Tribune*, July 4, 1902.
[50] United Mine Workers of America, *Minutes of the Fourteenth Annual Convention*, 1903, p. 31.

strike in the bituminous field might be ordered by the delegates, thus forfeiting public support, and hoped that in the interval a settlement might be effected or that sentiment for aggressive action would diminish.

At the opening of the special convention, President Mitchell strongly advised against calling a national sympathetic strike of coal miners.[51] Instead he advised unstinted financial support by the remainder of the union. At his recommendations the special convention voted to donate $50,000 from the national treasury and place it at the disposal of the officers of Districts 1, 7, and 9. A 10 per cent assessment was levied on the gross earnings of the membership in seven districts, and $1.00 a week upon the membership in eight districts. A 25 per cent assessment was levied upon the wages, salaries, or percentage, received from the organization by all national, district, and sub-district officers. Assessments were to begin on July 16. In addition an appeal was issued to the American people, and an effort was to be made to find employment for anthracite strikers in the bituminous fields.[52]

The decisions of the convention were a triumph for John Mitchell, who opposed a general coal miners' strike and advised against any action that would antagonize public sentiment.

Towards the end of July an exodus of thousands of miners from the anthracite region, was in progress. A considerable number were given employment through the efforts of the union.[53] The appeal of the miners' union was answered by thousands of workers' organizations. The Illinois district donated $100,000 to the strike during the month of July. During the latter part of the month, the American Federation of Labor issued a general appeal for aid to the labor movement and its friends. Committees to raise funds were organized throughout the country.[54]

At the end of July violence became common throughout the anthracite region. The miners were determined to prevent the employment of strikebreakers. The superintendent of the Philadelphia and Reading collieries at Kohinoor and Shenandoah was shot in a riot. In the town of McAdoo a crowd of 200 miners cap-

[51] United Mine Workers of America, *Minutes of Special Convention*, 1902, pp. 38–39.

[52] *Ibid.*, pp. 47–52.

[53] *New York Tribune*, July 22, 1902.

[54] *American Federationist*, October 1902, p. 716; *New York Tribune*, July 25, 1902.

tured a score of non-union men, paraded them through the streets, and drummed them out of the city.[55]

As a result of the riots, Governor Stone ordered two regiments of National Guards to Shenandoah, where the rioters had practically seized possession of the town. A merchant whom the strikers suspected of furnishing amunition to the deputies was beaten to death, and two deputies and two strikebreakers were severely mauled. The borough police came to the rescue of the deputies and fired about one thousand shots into the ranks of the strikers, wounding eighteen. The sending of 1500 soldiers into this section brought an appeal from John Fahy, president of District No. 9, of the United Mine Workers, for the members to "do all in their power to suppress lawlessness and to aid the officers in every way to maintain peace and good order." [56]

The strike continued with no sign of either side yielding. During the month of August, President Baer, of the Philadelphia and Reading Railroad Company, gave expression to a few of his religious and sociological sentiments which made him a target for denunciation and ridicule. A photographer of Wilkesbarre addressed a letter to Mr. Baer appealing to him as a Christian to settle the miners' strike. Considering this an opportunity to reassure a religious man of his good intentions, Baer wrote the following interesting, though injudicious, letter:

> "I see you are evidently biased in your religious views in favor of the right of the workingman to control a business in which he has no other interest than to secure fair wages for the work he does. I beg of you not to be discouraged. The rights and interests of the laboring man will be protected and cared for, not by the labor agitators, but by the Christian men to whom God in His infinite wisdom, has given control of the property interests of the country." [57]

On August 18, another striker was killed by a coal and iron policeman. As a result, the sheriff of Carbon county asked for troops, which were sent by the governor. Towards the end of August, violence broke out around Wilkesbarre. The president of the American Coal Company in this district called upon Mitchell to prevent rioting.[58] A number of trestles and bridges were dyna-

[55] *New York Tribune*, July 29, 1902.
[56] *Ibid.*, July 31, August 1, 1902.
[57] *Independent*, August 28, 1902, p. 2043.
[58] *Cleveland Citizen*, August 26, 1902.

mited and a number of non-union men were seriously beaten. As a result, the governor dispatched troops to Lackawanna county.[59] The following day, troops were sent into the four other principal counties of the anthracite region. District President Nichols urged the men to be orderly and not to antagonize the troops. Sixteen hundred soldiers were in the region.[60]

Despite the presence of troops violence continued. On September 28, a striker was killed and a day later 700 strikers wrecked the Mount Carmel office of the Lehigh Valley Coal Company and seized possession of the roads leading to the colliery. Non-union men were severely beaten.[61] At the end of September, the *New York Tribune* printed the following summary of the violence in the strike. Fourteen were killed; 42 severely injured; 16 shot from ambush; one lynching attempt; 67 aggravated assaults; one house dynamited and 12 houses burnt; 10 buildings burnt; three washeries and three stockades burnt; 69 riots; four bridges dynamited; six railroad trains wrecked and nine attempted wrecks; seven trains attacked and 14 strikes in schools against school teachers whose fathers or brothers continued at work.[62]

The coal shortage was becoming dangerous. Coal prices were skyrocketing, and the growing shortage finally induced President Roosevelt to call a cabinet meeting to consider the situation.[63] Following the cabinet discussion, President Roosevelt invited John Mitchell to meet some of the leading anthracite coal operators at the White House on October 3. Mitchell accepted the invitation and brought the presidents of the three anthracite districts with him. Present at the conference, besides the labor leaders, were President Roosevelt, five presidents of the leading coal-carrying railroads, the Attorney General of the United States, the secretary to the President, and Carroll D. Wright, United States Commissioner of Labor.[64] At the beginning of the conference, President Roosevelt described the increasing seriousness of the coal situation, and asked the two groups to adjust their differences in the interest of the general welfare. On behalf of the miners, John Mitchell agreed to order the miners to return to

[59] *New York Tribune*, September 21, 23, 1902.
[60] *Ibid.*, September 25, 26, 1902.
[61] *Ibid.*, September 29, 1902.
[62] *Ibid.*, September 30, 1902.
[63] *Ibid.*, October 1, 1902.
[64] *American Federationist*, November 1902, p. 793.

work, provided a commission was appointed with power to investigate conditions and render a decision which was to be binding upon both parties. At the conclusion of Mitchell's speech, the spokesman for the operators arose, denounced the United Mine Workers as a lawless body, rejected the miners' proposal for arbitration, and offered to submit the grievances of the men to the decision of the judges in the Common Pleas courts in the districts where they arise.[65] Instead of offering concessions, the employers claimed that they could operate their mines if they were given ample military protection by the Federal government. Governor Stone of Pennsylvania, therefore, ordered the entire National Guard of the state to the strike area.[66]

The presence of a large number of soldiers failed to increase the coal output. In order to refute the operators' charge that the mass of the miners were coerced to strike, union miners were asked to hold meetings in their localities and express their sentiments on the question of returning to work. Almost unanimously, the men voted to remain on strike until their demands were granted.[67]

President Roosevelt continued his efforts to settle the strike. He requested Mitchell to order the miners back to work, and he promised to appoint a commission to investigate the anthracite situation, agreeing to use his influence with the operators to obtain a settlement on the basis of the commission's report. The proposal was rejected by Mitchell, who maintained that the union had gone more than half way to meet the operators and avert suffering. Another reason for rejection was the President's lack of power to enforce the decision of the commission.[68]

After the rejection of President Roosevelt's second proposal, Senators Penrose and Quay of Pennsylvania, and Senator Platt and Governor Odell of New York conferred with Mitchell, but the attitude of the operators made an agreement impossible.[69] The approach of a fuelless winter was a cause of worry to many communities, and on October 9 the mayors of 139 cities met at Detroit to discuss the question, and went on record for government control of the anthracite coal mines.[70] During the numerous efforts

[65] *New York Tribune*, October 4, 1902.
[66] *Ibid.*, October 7, 1902.
[67] *Ibid.*, October 9, 1902.
[68] United Mine Workers of America, *Minutes of the Fourteenth Annual Convention*, 1903, p. 35.
[69] *New York Tribune*, October 10, 1902.
[70] *Ibid.*, October 10, 1902.

to arrive at a basis of settlement, sporadic violence continued, and on October 9 a striker was killed by a soldier at Shenandoah.[71]

The efforts to end the protracted strike led to a conference between President Roosevelt and J. P. Morgan, and after this meeting, the operators agreed to the appointment of a commission by the President, provided no labor leader or ex-labor leader was included, to which all questions at issue were to be referred, and they agreed to accept the decision rendered.[72] John Mitchell advised the striking miners to accept the conditions offered by the President, for the union had always favored arbitration. The President added a humorous touch by appointing the former head of the Conductors' Brotherhood, Commissioner Clark of the Interstate Commerce Commission, as a "sociologist." A Commission of seven was appointed which was to hear testimony, examine witnesses, and inspect working conditions.[73] The convention of the three anthracite districts met on October 21, and, upon the recommendation of John Mitchell, the President's terms were accepted and the men ordered back to work.[74]

The Commission organized on October 24, and ordered John Mitchell to appear before it on October 27. It was, however, decided to adjourn until November 14 so that the Commission might visit some of the mine properties and familiarize itself with the physical conditions, and allow the groups involved in the controversy to file statements and counter-statements of their claims.[75]

On behalf of the miners, Mitchell presented demands for an increase of 20 per cent above the prices paid during the year 1901 for contract or piece work; a reduction of 20 per cent of the hours of labor without any reduction of earnings for all employees paid by the hour or day or week; the adoption of a system by which coal would be weighed and paid for by weight wherever practicable; the minimum rate for a ton to be 60 cents for a legal ton of 2240 pounds; differentials now existing at the various mines to be maintained; and finally the incorporation of these conditions in a formal trade agreement between the United Mine Workers and the coal companies.[76]

[71] *Ibid.*, October 10, 1902.
[72] *Ibid.*, October 14, 1902.
[73] *Ibid.*, October 17, 1902.
[74] *Ibid.*, October 22, 1902; *Daily People*, October 22, 1902.
[75] *Report of the Anthracite Coal Commission*, Washington, 1903, p. 14.
[76] *Ibid.*, pp. 92–94.

A group of non-union mine workers were granted representation before the Commission, and presented a set of demands, in which they protested against the recognition of the United Mine Workers, and asked the Commission to disallow its requests.[77]

The leading coal companies answered the demands of the union and took exception to many or all of them. Hearings were held for several months and many witnesses were heard. The examination for the union was conducted by Clarence Darrow, and the operators were represented by a number of prominent corporation lawyers.

On March 18, 1903, the Commission handed down the following award. Wages were to be increased 10 per cent over and above the rates paid in the month of April 1902, to all contract miners. The wages of engineers and pumpmen were also to be raised 10 per cent. The Commission recommended the creation of a Board of Conciliation, which was to adjudicate all disputes arising between the miners and their employers; checkweighmen were to be allowed, and at the request of a majority of the employees of any colliery, cars were to be distributed uniformly; discrimination for belonging or not belonging to an organization of labor was prohibited. In addition, the Commission condemned the practice of employing "deputies upon the request and at the expense of employers, instead of throwing the whole responsibility of preserving peace and protecting property upon the county and state officers . . . ," and criticized the employment of children as breaker boys. The Commission failed, however, to perceive the necessity of treating the union as a responsible partner in the industrial government, for it rejected Mitchell's plea for the recognition of the union.[78]

The strike of 1902 again demonstrated the conservatism of John Mitchell, his fear of arousing the latent anti-labor feelings in the American community. In his public pronouncements and in his generalship he showed a clear appreciation of the necessity confronting any labor organization in America, especially in a vital public utility industry, to step warily or run the risk of alienating essential public support. In his attitude towards the companies he showed a readiness to make concessions, welcomed arbitration, and succeeded in placing the responsibility for the prolongation

[77] *Ibid.*, pp. 94–96.

[78] *Ibid.*, pp. 80–87.

of the strike upon the operators. His refusal to permit the bituminous coal miners to break their agreement by a sympathetic strike, came as a pleasant surprise to a public which had little inkling that labor unions considered their contractual obligations as binding under all circumstances.

A significant rôle in the momentous struggle of the anthracite miners was played by the National Civic Federation. Although it has long ceased to play an important rôle either in labor strikes or in the labor movement, the National Civic Federation [79] was an important factor in the early years of the Century. The national organization was an outgrowth of the Chicago Civic Federation, organized in 1893, to bring about better relations between capital and labor and to promote the study of civic problems.[80] The Chicago Civic Federation succeeded in averting a number of labor controversies, and in 1900, its chief promoter, Ralph Easley, sought to extend its range of activities. He founded the National Civic Federation, composed of capitalists, labor leaders, and representatives of the public. The purpose of the organization, as set forth in the 1900 preamble, was "to show that organized labor cannot be destroyed without debasement of the masses . . . that organized labor can correct its errors . . . that capital can be taught the practicability of securing industrial peace in accordance with business methods [and] that the twin foes of industrial peace are the anti-union employers and the Socialists. . . ." [81]

The Civic Federation tried to influence public opinion by means of the spoken and printed word, notably through its public dinners, where labor leaders sat beside big bankers, leading employers, and high public officials. It operated more specifically through its Division of Conciliation and Mediation designed to "promote industrial peace and prosperity; to be helpful in establishing rightful relations between employers and workers; by its good offices to endeavor to obviate and prevent strikes and lockouts; to aid in renewing industrial relations where a rupture has occurred." [82] Employers, labor, and the public were separately represented on the leading committees of the Civic Federation. Senator Mark Hanna was chairman, Gompers vice-chairman,

[79] Commons, John R., *Myself*, Macmillan, New York, 1934, pp. 81–92.
[80] Croly, Herbert, *Marcus Alonzo Hannah*, Macmillan, New York, 1912, p. 388.
[81] Quoted in Glück, Elsie, *John Mitchell*, p. 85.
[82] *National Civic Federation Review*, February 1908, p. 15; September 1908, pp. 1, 10.

and among the public representatives were August Belmont, Grover Cleveland, and President Charles W. Elliot.[83]

The Civic Federation also promoted permanent local boards of conciliation, which strove to avert and to settle strikes. Investigations were made of hours of labor, restriction of output, the minimum wage, piece work, and the sympathetic strike.[84]

The Civic Federation exercised its greatest influence between 1900 and 1905. It took a hand in the steel strike of 1901 [85] and in the two anthracite strikes. In 1903, through the efforts of Marcus M. Marks, of the Conciliation Committee, the Federation helped to settle a dispute in the New York men's clothing trade. In May 1904, the Conciliation Committee helped to avert a threatened strike of 20,000 teamsters in New York.[86]

The National Civic Federation was also called upon to intervene in a controversy between the San Francisco railways and its employees during June 1903. Oscar S. Straus, of the Conciliation Committee, was called in to head a committee of three arbiters. The decision granting a raise in wages was signed by Straus and the workers' representative.

In September 1904, the Civic Federation brought about a settlement of a wage controversy between the employees on the New York subways and the Interborough Rapid Transit Company.[87] Considerable conciliation work was done during 1905 and 1906. These activities were mainly confidential, and they extended to 22 states.[88] During 1906 and 1907 the Civic Federation was mainly interested in settling local disputes.[89] It intervened unsuccessfully in the national strike of telegraphers in 1907.

The Civic Federation vigorously combated the "open shop" propaganda of the National Association of Manufacturers, notwithstanding that several prominent protagonists of the open shop were amongst its leading members. By 1905 the idea of the trade agreement lost its popularity in employer circles. The origi-

[83] *Catholic World*, January 1902; *National Civic Federation Monthly Review*, April 1903, p. 10.
[84] *National Civic Federation Monthly Review*, April 1903, p. 10.
[85] See Chapter IX.
[86] *New York Tribune*, May 25, 1904.
[87] See Chapter XII; *National Civic Federation Review*, September 15, 1904, pp. 1–2.
[88] *Ibid.*, March–April 1906, p. 16.
[89] *Ibid.*, February 1908, p. 15.

nal expectation that the trade agreement was a sure remedy against strikes and restriction of output failed to come true. Thereupon the National Civic Federation shifted its activities to educating employers in welfare capitalism and the community in general to the menace of socialism.

CHAPTER V

VICTORY THROUGH LONG RANGE PLANNING

The International Typographical Union boasts of the longest continuous history of any labor organization in the United States. Conservative in its methods and hesitant to precipitate an open break, the Typographical Union has exhibited throughout its history a patient and dogged determination to improve the conditions of its members, and has succeeded in gaining the most complete control over job conditions of any union in the world. The Typographical Union operates simultaneously in two different "industrial environments." In the newspaper branch of printing the union in the larger cities has had a virtual monopoly. In the book and job branch of the industry competition among employers is keener as a result of the national character of the market and the union is faced with the competitive menace of the lower paid labor in non-union towns and non-union shops. The printers' union met the problem of the "industrial revolution" in its industry in a constructive way. The Mergenthaler linotype invented in 1884 threatened to flood the trade with green hands. The Typographical Union recognized the inevitability of the technological change but succeeded in preserving its job control by an agreement which gave the union hand compositors the first claim to the linotype jobs at regular compositors' wages.[1] Interestingly enough, the printers' union of Germany hit upon the same device.

The activities of the Typographical Union have lacked the spectacular qualities of many other organizations, yet its methods and tactics are of great interest and importance to the labor movement. In contrast to many other organizations, the Typographical Union tried to make haste slowly. At the height of the eight-hour movement, 1886, it proposed that the printing employers reduce the working day to nine hours.[2] No definite action was taken until the convention of 1887, when the organization went on record that after November 1, 1887, nine hours should constitute a day's

[1] Barnett, George E., *The Printers*, American Economic Association, Cambridge, 1909, p. 199.

[2] Tracy, George A., *History of the Typographical Union*, Indianapolis, 1913, p. 409.

work in shops employing more than 60 workers, under the jurisdiction of the union.[3]

The efforts of the working printers met with serious resistance from the book and job employers. They combined in the different communities to present a united front to the union. As a result President Aimison, of the International Typographical Union, called a conference of union leaders at Cincinnati, Ohio, on October 11, 1887. The situation was canvassed, and it was decided to suspend the operation of the nine-hour rule, and also to elect a committee to attend the meeting of the employing printers, scheduled for later in the month.[4]

The menace of a shorter work day compelled the employers to organize nationally. Local societies of employing printers had developed in different cities during the sixties. The Chicago Typothetae led the agitation and the ready response of the book and job printers in other cities resulted in the calling of a convention for October 18, 1887. The keynote of the convention was sounded by the chairman, C. H. Blakely, who announced that the employers "felt outraged at the unreasonable demand." [5] The convention also resolved "that it is the sense of the United Typothetae of America that the employer shall continue master in his own house by refusing to tolerate control of his employees by any Trades Union to the exclusion of workmen who are not members of such union." [6]

The union's committee proposed a *pro rata* reduction of wages if overtime were paid for work above nine hours. The compromise was rejected by the employers, who specifically indorsed the ten-hour day, and pledged their "moral and material aid" to offices compelled to meet a strike.[7]

The defeat of the nine-hour movement was chiefly responsible for the reorganization of the union. In 1888 a permanent headquarters was organized, and officers were required to have their residence and maintain all accounts and official records at the headquarters city. An Executive Council with power to enact legislation between conventions was created; a per capita tax of

[3] International Typographical Union, *Thirty-fifth Annual Session*, 1887, p. 119.
[4] Powell, Leona M., *The History of the United Typothetae*, University of Chicago Press, 1926, pp. 18–19.
[5] United Typothetae of America, *Proceedings of the First Convention*, 1887, pp. 4–6.
[6] *Ibid.*, p. 32.
[7] *Ibid.*, pp. 21–25.

ten cents per month was levied, 60 per cent of which was set aside for a defense fund; and a rule that the sanction of the Executive Council would be required before the calling of a strike, was adopted.[8] These rules placed the direction of the organization in the hands of the Executive Council, which through its control of the defense fund could compel local groups to submit to its discipline. The former local autonomy in the matter of the strike, was fraught with the possibility of dissipating funds and energy.

The union was still seeking peace, despite its preparation for war. At the convention of 1888, a committee was chosen to visit the national session of the United Typothetae, and discuss a basis of co-operation between the two organizations. The union's proposal was referred to the Typothetae Executive Committee, which decided that "there exists no matter of difference between the two bodies which would come properly under the jurisdiction of the United Typothetae." The committee claimed that it was neither an offensive nor a defensive organization against labor, and recommended that differences between employer and employee should be settled locally.[9]

Despite the pacific professions of the Executive Committee, the Typothetae was also girding for war. In his opening address to the next convention, President Andrew McNally, of Rand, McNally and Company, advised the Typothetae to be prepared for hostile action, and suggested the organization of an employees' union under Typothetae auspices. McNally believed that the journeyman printer is an "intelligent . . . man . . . and a good fellow," who prefers not to belong to a trade union, and the Typothetae should encourage his resistance.[10]

Despite this rebuff the union convention of 1890 revived the nine-hour question. A committee was appointed to visit the Typothetae convention to discuss shorter hours. The employers' organization reaffirmed its opposition to the shorter work day, and dismissed the union committee with the comment that there was no particular question for them to confer on.[11]

In 1891, the union decided to establish the nine-hour day

[8] Tracy, G. A., *op. cit.*, pp. 410–413; International Typographical Union, *Proceedings of Thirty-sixth Annual Convention*, pp. 207–214.

[9] International Typographical Union, *Thirty-seventh Annual Session*, 1889 pp. 10–12.

[10] United Typothetae of America, *Third Annual Meeting*, 1889, p. 15.

[11] *Ibid.*, *Fourth Annual Meeting*, 1890, pp. 20, 99.

through a strike if necessary. The aid of the American Federation of Labor was solicited, but the Federation had already pledged its support to the miners, and was unable to comply with the request.[12] Nevertheless, the convention approved the submission to the membership of the president's recommendation that the 54-hour week should be established by October 1, 1892. The United Typothetae immediately began a campaign against the resolution, and local members of the Typothetae appealed to their workmen through the press to defeat it. The nine-hour resolution received a large majority, but not the necessary three-fourths needed to secure its adoption.[13]

The Typothetae showed its anti-union character more vigorously in 1892. During this year it appointed a Committee on Legal Rights, and collected a large fund to aid Pittsburgh employers engaged in a controversy with labor.[14]

The union was determined to win the shorter work day, but it bided its time and refused to be stampeded into overt action. In 1892, the proposal for the creation of a special fund, an International Resistance Fund, was defeated by the membership, whose refusal to tax itself forced a postponement of the issue.[15]

The advocates of the shorter work day in the union were able to muster a majority, but they lacked the necessary three-fourths until 1896. The convention of 1896 appointed a Shorter Work Committee, which met in Chicago on May 3, 1897, and decided to initiate a general campaign for shorter hours and to enlist the allied trades in this venture. Local shorter hours groups were organized, which were to co-operate with the general committee.[16] An assessment for the support of the campaign was overwhelmingly adopted by the membership.[17] The union was now ready to act. Moreover, the labor front had been expanded by the co-operation of the pressmen and the bookbinders.

Under these circumstances, the United Typothetae was willing to try negotiations. At its convention of 1898, representatives from the Pressmen's and Typographical unions addressed the em-

[12] Tracy, G. A., *op. cit.*, p. 446.

[13] United Typothetae of America, *Fifth Annual Meeting*, 1891, pp. 9–11; *Typographical Journal*, August 15, 1891, p. 1.

[14] United Typothetae of America, *Eighth Annual Session*, 1894, p. 25.

[15] *Typographical Journal*, September 1, 1892, p. 7.

[16] International Typographical Union, "Report of Shorter Work Day Committee," *Forty-fourth Session*, 1898, pp. 70–72.

[17] *Typographical Journal*, February 1, 1897, p. 103.

ployers, and a committee to meet the union representatives was chosen. Committees representing the United Typothetae, the International Typographical Union, the International Printing Pressmen and Assistants' Union, and the International Brotherhood of Bookbinders met in Syracuse, New York, during the fall of 1898. The representatives of the Typothetae proposed the establishment of a nine-and-a-half-hour day on January 1899, and a nine-hour work day, two years later. This offer was rejected by the unions and after some discussion, it was agreed that a nine-and-a-half-hour day or a fifty-seven-hour week be established on November 21, 1898, and the nine-hour day or fifty-four-hour week would become effective November 21, 1899.[18]

The campaign of the union was an example of patient methods but fixed determination to reach the objective. During the fight for nine hours the International Typographical Union had grown in size and strength. Its membership had increased from 19,190 in 1887, the year of the beginning of the nine-hour movement, to 32,105 in 1900.[19] It was unthinkable that the union would long remain satisfied with the nine-hour day. It was the era of the eight-hour work day, and this was a step in the right direction rather than the final end sought. The United Typothetae sensed the situation. Addressing the convention of 1900, the President warned that the defense fund being accumulated by the union portended war. The convention agreed, and recorded its determined opposition to the encroachment on the employer's freedom to run his shop, and more particularly to the anticipated eight-hour demand.[20]

The union let two years elapse before it made the eight-hour demand. In his report to the convention of 1902, President James Lynch of the Typographical Union justified the fears of the organized employers. Acting upon his suggestion, the convention voted to elect an Eight-Hour Committee, which was to prepare the membership for the struggle. Local unions were required to act in conjunction with the committee, and they were enjoined from making contracts extending beyond October 1, 1905, which required their members to work more than eight hours per day.[21]

[18] International Typographical Union, "Report of Shorter Work Day Committee," *Forty-fourth Session*, 1898, pp. 122–124.

[19] Barnett, George, *op. cit.*, p. 376.

[20] United Typothetae of America, *Fourteenth Annual Convention*, 1900, pp. 28–29, 155.

[21] *Typographical Journal*, September 1, 1902, p. 187; International Typographical Union, *Forty-eighth Session*, 1902, p. 151.

Lynch [22] belonged to the finest representatives of intelligent job conscious unionism. Averse to figuring in the public eye, he possessed the quiet strength of an executive thoroughly familiar with the topography of the arena in which his organization operated. A shrewd bargainer, a circumspect but determined fighter, he appreciated the cementing influence of union benefits. Under his administration, the pension fund for the aged and indigent printers and the Union Printers' Home were established. His greatest contribution to his union was, however, his leadership in the nation-wide strike for the eight-hour day.

President Lynch communicated the demand to the Typothetae, and suggested reducing the working time 15 minutes each year for the next four years, as an easy adjustment of the question.[23] The Typothetae refused to discuss the proposal, basing its refusal on the union's unwillingness to allow consideration of the question of foremen membership in the union.[24] The union took the position that the latter question was subject to "International Law," and therefore outside of the area of collective bargaining.

The Typothetae saw the opportunity to reformulate its hostility to encroaching union control. In the summer of 1902, it offered to sign an agreement to pay the union scale and maintain union conditions, provided the employer was granted the right to employ whomever he chose regardless of union affiliation. The Typographical Union rejected the offer. The acceptance by the pressmen's organization of an open shop contract at this time caused President Lynch to deplore the existence of several organizations in one industry, and to add his voice to the growing criticism of craft unionism on the pragmatic ground that large aggregations of capital could be more effectively fought by single organizations existing in each industry.[25]

[22] James Lynch (1867–1930) joined the Syracuse Typographical Union at the age of 17. Five years later he was chosen president of his local, and subsequently president of the Syracuse Trade and Labor Assembly. Chosen first international vice-president of his union in 1899, he was elected president in 1900, and served until 1914 when he resigned to become Industrial Commissioner of New York. He was Commissioner until 1921, and three years later he was again elected president of his International, only to be defeated by Charles P. Howard in 1926. *Typographical Journal*, August 1930, p. 171.

[23] United Typothetae of America, *Sixteenth Annual Session*, 1902, pp. 39–40.

[24] Powell, Leona M., *op. cit.*, pp. 51–53.

[25] *Typographical Journal*, August 1, 1902, p. 104, November 15, 1902, p. 429, December 1, 1902, p. 475.

The struggle for the eight-hour day began in earnest. The Eight-Hour Committee launched a campaign in the *Typographical Journal* and in special circulars designed to acquaint the membership with the task in view.[26] The convention of 1903 reaffirmed the demand for the shorter work day, and the United Typothetae immediately issued a Declaration of Policy which was virtually a declaration of war. It decried any further reduction of hours, and deprecated the use of the union label.[27]

The union was determined to establish the eight-hour day, but it was still anxious for a peaceful solution of the problem. A committee from the union, headed by President Lynch, visited the convention of the employers' organization in 1904. In response to the proposal by the Typothetae that the committee state its program, it refused to open negotiations unless the principle of the shorter work day was admitted. The employers' reply was a flat refusal and a reaffirmation of the open shop principle.[28]

The union persisted both in its eight-hour demand and in its patient tactics. The convention of 1904 declared its readiness to continue negotiations, provided the eight-hour objective was not ruled out. But the union's patience went hand in hand with a thorough spirit of preparedness. An assessment of ½ of one per cent of the total earnings of the membership, whether employed on newspapers, to which this conflict did not extend, or in book and job offices, was levied for a defense fund, and it was decided that the eight-hour day was to become effective on January 1, 1906, in all shops controlled by the union.[29]

The movement was indorsed by the American Federation of Labor, which promised financial support in the event of a strike.[30] The membership overwhelmingly approved the action of the convention, and indorsed the levying of an assessment in support of the movement.[31]

During the early months of 1905, both sides girded for battle. The employing printers met in different cities to rally their forces. The Typographical Union held eight-hour meetings

[26] *Ibid.*, September 15, 1902, p. 244.
[27] Powell, L. M., *op. cit.*, pp. 55–56.
[28] United Typothetae of America, *Eleventh Annual Session*, 1904, pp. 152–153; *Typographical Journal*, July 1904, p. 27.
[29] International Typographical Union, *Fiftieth Session*, 1904, p. 183.
[30] American Federation of Labor, *Proceedings*, 1904, pp. 180–181.
[31] *Typographical Journal*, December 1904, p. 574.

throughout its jurisdiction and marshaled its members for the struggle.[32]

The first gun was fired in August 1905 by the employers. On August 10, non-unionists were put to work in several large offices in Detroit. A week later three offices in San Antonio, Texas, followed suit. The R. R. Donnelley and Sons, the Rand, McNally and Company, and several other large printing concerns of Chicago put non-unionists to work in their shops. This was a direct challenge to the closed shop policy of the union, and strikes were called in all of these establishments.[33]

The union went on with its general strike preparations, but once more it tried conciliation. The convention of 1905 authorized President Lynch to proceed to the convention of the United Typothetae. This he did, but he was not permitted to address the gathering. He was told to discuss the question with the Executive Committee, which emphatically refused to consider the shorter work day. The union's patience was rewarded by the employers' offer of a three-year contract retaining the fifty-four-hour week and adding an open shop provision, with not the least hope of the eight-hour day even in the future.[34] Finally despairing of a negotiated peace, and anticipating that the employers would widen their own offensive, the union officers wired the locals to demand eight-hour contracts, effective January 1, 1906.

The membership was virtually of one mind about this struggle. The large assessment was overwhelmingly indorsed, effective November 6, 1905.[35] The prospective resources of the union were also augmented by the decision of the Executive Council of the American Federation of Labor to levy one cent a week per member for four weeks in support of the contemplated strike.[36] The presidents of the several local unions were called to headquarters to receive instructions.[37]

Another and more substantial preparation for the now unavoidable conflict was the levying of a 10 per cent assessment upon all members of the union employed in union shops, after

[32] International Typographical Union, *Fifty-first Session*, 1905, p. 8; *Typographical Journal*, June 1905, pp. 632–633; July 1905, pp. 9–10.
[33] International Typographical Union, *Fifty-second Session*, 1906, p. 74.
[34] *Typographical Journal*, October 1905, pp. 409, 416.
[35] Tracy, George A., *op. cit.*, p. 871.
[36] *Ibid.*, p. 869.
[37] "Report of Eight-Hour Committee," Tracy, George A., *op. cit.*, p. 871.

January 1, 1906. It was overwhelmingly sustained by the membership.[38]

On January 1, 1906, the strike for the eight-hour day began in the book and job printing establishments of 69 cities.[39] It boded to be a long struggle. At the end of the fourth month the union claimed to have established the eight-hour day for 16,000 printers in the book and job trade.[40] As the settlements reduced the number on strike, the wage assessment was lowered to 8 per cent on October 1, 1906.[41]

Notwithstanding these successes, the union still tried to bring about an agreement with the United Typothetae. Its offer was unanimously rejected by the employers, the president of the Typothetae claiming that the members of the organization were operating their plants successfully.[42]

During the strike of the Typographical Union, the members of the International Printing Pressmen remained on their jobs. But, taking advantage of the strained condition of the employers, they demanded, in the latter part of 1906, the eight-hour day. President Lynch expressed the ironical hope that the pressmen would not compromise.[43]

The United Typothetae agreed to grant the eight-hour day to the pressmen, on condition that the organization would accept the open shop. The officers of the pressmen eagerly agreed, but met their nemesis in a successful rebellion of the membership led by George Berry, who subsequently overthrew the administration. The new officers repudiated the open shop agreement, which the employers now sought to force upon the union through injunction proceedings. The court upheld the union's contention that the agreement, not having been accepted by the organization, was not binding.[44]

Early in 1908, the pressmen as well as the bookbinders, stereotypers, and photo-engravers, the bystanders in this momentous struggle, received the benefits of the efforts of the Typographical Union. They were granted the eight-hour day without a fight.

[38] *Typographical Journal*, January 1, 1906, p. 7.
[39] *Ibid.*, January 1906, pp. 24–26.
[40] *Ibid.*, May 1906, pp. 514–515.
[41] *Ibid.*, September 1906, p. 285.
[42] United Typothetae of America, *Twentieth Annual Meeting*, 1906, pp. 8, 109, 118.
[43] *Typographical Journal*, November 1906, pp. 513–515.
[44] Powell, L. M., *op. cit.*, pp. 72–74.

But soon the employers yielded all along the line. On February 28, 1908, the United Typothetae recognized the success of the eight-hour movement by rescinding its opposition "to any further reduction of the hours of labor to less than fifty-four a week." The following day the Typographical Union withdrew its strike assessment.[45]

The sums expended by the union during the prolonged struggle totaled $4,163,970.64.[46]

The victory was spectacular but costly in an additional sense—in that it led to a loss to the union of many of the important printing offices in the large cities, which the union has never since succeeded in recapturing. Moreover, more than two hundred locals in smaller communities surrendered their charters.[47]

The struggle by the printers against the book and job employees represents the high-water mark of typical American unionism in action up to that time. Conservative in philosophy, thoroughgoing in preparation, patient and conciliatory in treating with the employers, this group of American workers, under a leadership which thoroughly reflected their mentality and aspirations, battled for over two years at the expense of many millions in lost wages and in union treasury for an objective formulated by the organization nearly two decades before, an objective which has since been incorporated as one of the standards universally accepted by the American community. In this struggle they were loyally and unstintingly supported by their fellow workers in the same craft in the newspaper offices. This union of skilled mechanics was wholly innocent of working class solidarity as conceived by socialists and syndicalists, but within their own area of collective job opportunity, in the print shops of the country, they practiced an enduring and costly solidarity scarcely inferior to the solidarity of ideologically articulate class conscious workers—just as in their job control devices, they went beyond the aspirations and the success of avowedly socialistic unions.[48]

[45] *Ibid.*, pp. 74–75.
[46] Tracy, G. A., *op. cit.*, p. 921.
[47] Barnett, G., *op. cit.*, p. 157.
[48] Marvin M. Fein has rendered aid in the preparation of this chapter.

CHAPTER VI

PLANLESS AGGRESSIVENESS

If the printers' prolonged struggle showed a well-organized group of craftsmen in concerted action, the Chicago teamsters' strike of 1905 showed another type of American union behavior influenced by a lack of tradition and an absence of fixed policy which led to unforeseeable entanglements, to wastefulness of effort, and to control by adventurers. The teamsters' organization was a direct product of the mass movement towards unionism, while to the printers' union the upswing in this period was an opportunity to employ their long-tried methods in a favorable environment.

Organization among teamsters had been impeded by the diversity of type of work performed by the teamster. The teamster's occupations are as varied as garbage collecting, milk delivery, and general teaming. The teamster is often given great responsibility. Each team is an establishment with the driver as the man in charge, who works upon his own initiative and responsibility as soon as he leaves the stable. Often he is a salesman working on commission. He is not only called upon to know the city routes, but must meet all emergencies with vigor and physical courage. In the large cities teamsters are generally recruited among Irish and Irish-Americans. Teamsters, while difficult to bring together in a union, are fearless and pugnacious in a strike situation. Also the nature of the trade makes strikebreaking very hazardous.

Local teamsters' unions were organized as early as 1867, but the first attempts to form a national organization were not made until 1898.[1] Shortly before the convention of the American Federation of Labor in 1898, President Gompers invited the delegates of the teamsters' locals directly affiliated with the Federation to meet for the purpose of forming an international union. Delegates from nine locals answered the invitation, discussed a plan of organization, and applied for a charter. The Executive Council of the

[1] Commons, John R., "The Teamsters of Chicago," *Quarterly Journal of Economics*, May 1905, p. 400.

American Federation of Labor issued a charter to the Team Drivers' International Union in January 1899.[2]

During the first two years of its existence, the new organization made considerable progress, but a serious controversy developed at the convention of 1901 over the questions of increasing the per capita tax and allowing employers to belong to the union. The opposition, led by the Chicago locals, feared that an increase in per capita tax would strengthen the national office, and that the membership of the "boss" teamster in the union would enable him to control the organization. Despite the opposition of the powerful Chicago locals, the convention adopted the proposals. Thereupon the Chicago locals withdrew from the organization, and formed a dual body, the Teamsters' National Union.[3]

The Chicago teamster unions had grown very rapidly as a result of the activities of a daring and ingenious promoter, Albert Young, who organized the Coal Team Drivers' Union in the fall of 1900. Several months later John C. Driscoll organized the Coal Team Owners' Association, and during the next two years these two were to dominate both team owners and teamster unionism of Chicago. Driscoll brought employers and teamsters together in a mutually monopolistic arrangement. Wages were raised 15 per cent the first year, and doubled the second year. Competition having been eliminated, the team owners were able to double their charges for hauling without risk, and besides earning the extra wage charges they were also able to pocket an increased profit.[4]

Driscoll, encouraged by his initial success at "industrial stabilization," extended the application of his recipe for the evils of competition to the other branches of teaming, in co-operation with groups who specialized on the labor side. Each of the Driscoll associations signed agreements with the particular union operating in its section of the industry. Driscoll and Young saw to it that no jurisdictional disputes between the several locals marred the picture of industrial "harmony." [5]

There were two types of employers engaged in teaming. The teamster contractor whose principal business was teaming was

[2] *Team Drivers' Journal*, August 1903, p. 5; American Federation of Labor, *Proceedings*, 1898, p. 135.

[3] *Team Drivers' Journal*, August 1903, p. 7; *The Teamsters*, August 1906, p. 20.

[4] Commons, John R., *op. cit.*, p. 407; Poole, Ernest, "How a Labor Machine Held up Chicago," *World To-day*, July 1904, pp. 897–898.

[5] Commons, John R., *op. cit.*, pp. 406–407.

mainly interested in equalization of wages, for he was able to pass on his wage costs to his customers. His chief problem was the elimination of ruinous competition practiced by the wage cutter able to underbid him on the market.

The other type of teaming employer was unable to transfer his wage bill to his customers. These were the breweries, department stores, commission houses, and others whose teaming was incidental. These groups sought low wages rather than equalized wages.[6] For them, the Driscoll and Young scheme held no appeal. Despite the opposition of these large concerns, the power of the teamsters' union and the influence of Young and Driscoll increased. In the spring of 1902 by a tyrannical interference on the part of the union with the management of one of Chicago's largest business concerns, the teamsters demonstrated their power. The large stores and office buildings had found it more economical to use natural gas than coal for summer heating. This, of course, cut into the profits of the coal team owners and created unemployment amongst the drivers. A committee from the Coal Teamsters' Union visited Marshall Field and demanded that his store agree to use coal for heating for the next two years. The Company refused, and a strike followed. After a struggle lasting several months, Marshall Field surrendered and agreed to remove all gas appliances from his store. Similar agreements were subsequently signed by a large number of other stores and office buildings.[7]

Young and Driscoll became the arbiters of the city's industrial life. They created a board of arbitration, which considered and settled strikes, and whose decisions were enforced by the power of the teamsters to cripple any firm by a boycott. Driscoll, as the representative of the teaming employers, while looking out for the interests of his constituency, did not neglect his own financial interest, directing a part of the settlement price into his own pocket. His desire for gain is said to have often led him to foment strikes so that he might profit by settling them.[8]

The Chicago teamsters' unions, as previously indicated, had broken with the Team Drivers' International Union in 1901, constituting the bulk of a dual international. At the American Federation of Labor convention in 1902 the two unions were induced to

[6] Commons, John R., *op. cit.*, p. 403.
[7] Poole, E., *op. cit.*, p. 898.
[8] Commons, John R., *op. cit.*, p. 407; Poole, E., *op. cit.*, p. 898.

merge, since in the meantime the Team Drivers' International Union had eliminated employers from membership in the organization, thus meeting the objections of the Chicago purists. The new organization was called the International Brotherhood of Teamsters.[9]

Meanwhile organized labor in Chicago became alive to the questionable activities of Young and Driscoll. In pursuance of a resolution introduced by Michael Donnelly, president of the National Butchers' Union, a committee was elected to investigate the activities of Driscoll. In its report to the Chicago Federation, the committee branded Driscoll as "an enemy and menace to the labor movement," and charged him with seeking to bribe representatives of labor. This had an effect on the organized teamsters. In the spring of 1904, teamsters' locals with a membership of 10,000 refused to sign an agreement with the Associated Teaming Interests as long as Driscoll maintained his connection with that body. Driscoll was forced to resign from a number of team owners' associations, and his influence in the industry was soon completely eliminated.[10]

During the Driscoll and Young era the teamsters' condition in Chicago was substantially improved. The total number of weekly hours worked by the teamster had ranged from 70 to 100, including work on Sunday. The union practically abolished Sunday work, and made it payable at time and a half, reduced the hours of labor to 10½ a day, and compelled payment of time and a half for work before six in the morning or after six in the evening. Similar improvements were gained by the milk wagon drivers, who had worked 80 hours on the average in the winter and 100 hours a week in the summer. After the milk drivers' local was organized in January 1903, the hours of labor for the winter were fixed from eight to five, and during the summer months the extra afternoon milk delivery was abolished. No milk wagon was allowed on the streets after one in the afternoon.[11] The abolition of the afternoon milk delivery occasioned great outcry against the union. Statistics were introduced to show that the rise in the infant death rate in Chicago was due to the refusal of the milk drivers to make an afternoon delivery, but the union remained

[9] *The Teamsters*, August 1906, p. 21.
[10] Poole, E., *op. cit.*, pp. 902–904.
[11] Commons, John R., *op. cit.*, pp. 408–410.

firm. The afternoon delivery was not restored, but no serious consequences to the health of the city followed.[12]

The union continued to prosper, and due to its stragetic position it was able to come to the aid of other workers on strike by a boycott against strike-bound firms, and frequently did so. These manifestations of solidarity, since they helped otherwise weak labor groups to gain the whip hand over their employers, made the continued strength of the organized teamsters more than a mere trade issue amongst employers.

During the spring of 1905, the teamsters' union was requested by the Chicago Federation of Labor to intervene in a strike of garment workers against Montgomery Ward and Company. The teamsters' organization had rejected an earlier proposal of this nature, but the strike having dragged on for several months, the teamsters called upon Montgomery Ward and Company to settle its controversy with the union. The manager of the Company refused and characterized the strike as a "dead issue." [13] Thereupon the teamsters struck in sympathy against the Company. As far as the teamsters were concerned, this was wholly a disinterested act. They lent their strength to a much weaker union in response to the request of the officers of the Chicago Federation of Labor,[14] who were overwhelmingly upheld by a referendum vote of all the unions in Chicago.

The struggle now became a tug of war between the Chicago Employers' Association supporting Montgomery Ward and Company and the teamsters acting as the agents of the Chicago labor movement. The general agents of the several express companies formed the Railway Managers' Association, which warned that if a single express driver left his job or refused to haul goods to Montgomery Ward and Company the barns would be closed down and the drivers locked out.[15]

The labor movement of Chicago accepted the challenge. A strike committee of 15 members, 5 representing the teamsters, 5 the Chicago Federation of Labor, and 5 the United Garment Workers, was elected to direct the struggle. Later a larger and

[12] Baker, Ray Stannard, "Capital and Labor Hunt Together," *McClure's Magazine*, September 1903, p. 47.

[13] Powers, Stanley, "Chicago's Strike Ordeal," *World's Work*, July 1905, pp. 6381–6382; Chicago *Daily Labor Bulletin*, May 24, 1905; *Chicago Record-Herald*, April 3, 6, 1905.

[14] Chicago *Daily Labor Bulletin*, May 24, 1905.

[15] *Chicago Record-Herald*, April 7, 1905.

more inclusive strike committee of 35 was chosen. The following organizations each had five members: the Building Material Trades Council, Carpenters' Union, Machinists' Union, Associated Building Trades, Brotherhood of Teamsters, Chicago Federation of Labor, and United Garment Workers.[16]

A week after the teamsters' strike had been called, leading employers subscribed $100,000 for the capital of a new teaming concern called the Employers' Teaming Company. The purchase of trucks and horses was begun immediately.[17] The first attempts to use non-union labor brought on a considerable amount of violence, which grew as the possibilities of an immediate peace vanished. The employers stood firm on their refusal to arbitrate.

Next the teaming employers, heretofore friendly to the teamsters' union, threatened to discharge any teamster who refused to haul for Montgomery Ward and Company. The Employers' Teaming Company, the employers' special fighting weapon, began placing armed guards on its wagons to protect strikebreakers.[18]

The fight of the united employers was now clearly directed to break the power of the teamsters. The garment workers' grievance, the original cause, was lost in the shuffle. They therefore sought to help their disinterested friends, the teamsters, by ending their own strike.[19] The reason for a continuation of the controversy between Montgomery Ward and the teamsters having been removed, the teamsters declared, too, their strike ended.[20]

But they reckoned without the united employers, who, having tasted victory, were determined to push it to the end. The express companies, leading department stores, and Montgomery Ward and Company, and the large wholesalers refused to submit any proposals for the reinstatement of the men who had refused to haul for Montgomery Ward and Company and of their fellows who had struck in their defense. Now that the union was forced to battle for life, additional teamsters were drawn into the struggle, making a total of about 5000. The leaders of the union announced that they stood ready to call a general strike of the 35,000 teamsters in the city if necessary. The employers' association remained

[16] Cummings, John, "The Chicago Teamsters' Strike," *Journal of Political Economy*, September 1905, p. 537.
[17] *Chicago Record-Herald*, April 14, 1905.
[18] *Ibid.*, April 20, 1905.
[19] *Ibid.*, April 23–24, 1905.
[20] *Ibid.*, April 25, 1905.

adamant and raised an additional fund of $150,000 to fight the teamsters.[21]

Violence broke loose. Non-union drivers were mobbed and stoned, huge crowds of strikers and sympathizers attacked the police-protected caravans, making delivery to the boycotted houses extremely difficult. On April 28, Federal Judge Kohlssat issued an injunction against the strikers enjoining them from interfering with the deliveries of the Employers' Teaming Company. As usual, the injunction failed to lessen the aggressive activity of the strikers, and the wagons with printed copies of the enjoining order nailed to their sides were treated as unceremoniously as wagons lacking this legal protective armor.[22] The injunction was followed by the indictment of twelve labor leaders, including the president of the International Brotherhood of Teamsters, Cornelius Shea, and the president of the Chicago Federation of Labor, Charles P. Dold.[23] The increase in rioting and disorder led Mayor Dunne to appoint a committee of five citizens to settle the strike. At the same time, 1000 additional police were detailed for strike duty. The labor leaders exonerated their followers from responsibility for the trouble, and placed it upon the imported Negro strikebreakers, who were armed by their employers.[24] Early in May the employers asked Governor Deneen to send troops to the city.[25] The Governor refused on the ground that the county had not exhausted its power. Thereupon 3000 deputies were appointed by the sheriff to aid the police.[26]

In the middle of May, violence began to subside. Many strikers were calling for a general strike of teamsters, but the leaders thought it too risky and inadvisable. Nevertheless, the Teamsters' Joint Council rejected a request from the Team Owners' Association that they be permitted to deliver goods to boycotted firms in order to fulfill their contracts. Efforts to end the dispute were being made by a number of groups. The refusal of the express companies to reinstate their old employees was the one obstacle towards a settlement of the controversy.[27] The joint council of the teamsters' organization, representing 35,000 organized teamsters, voted to assess its members one dollar a month in support of the strike. On May 24 President Dold, of the Chicago Federa-

[21] *Ibid.*, April 28, 1905.
[22] *Ibid.*, April 30, 1905.
[23] *Ibid.*, April 30, 1905.
[24] *Ibid.*, April 30, May 1, 1905.
[25] *Ibid.*, May 3, 1905.
[26] *Ibid.*, May 21, 1905; May 6, 1905.
[27] *Ibid.*, May 11, 21, 24, 1905.

tion of Labor, called a meeting of the Chicago unions to consider the situation. Delegates from 300 local unions met and indorsed the teamsters' walkout.[28]

On May 24 the lumber teamsters entered the struggle, and as a result 200 additional deputies were appointed. The sheriff's force was far more satisfactory to the employers than the police under the liberal Mayor Dunne.[29]

The Employers' Association and the press had been leveling charges of corruption and graft against the leaders of the teamsters' union. Early in June, Cornelius P. Shea, President of the International Brotherhood of Teamsters, charged that the manager of Montgomery Ward and Company had offered him $10,000 to call a strike against Sears, Roebuck and Company, Montgomery Ward and Company's chief competitor. This came in retaliation against earlier charges of corruption against the teamsters' leaders. Shea likewise charged Levy Mayer, the attorney of the Employers' Association and most active against the strikers, with having sought to have a strike called against the Anheuser-Busch Company in order to force it into the Brewers' Association. Shea also promised further revelations.[30] Charges of criminal libel were brought against Shea, who was subsequently indicted on this charge by the grand jury. The same grand jury indicted 20 other labor men for conspiracy, and criticized Mayor Dunne's conduct in the strike. The Mayor immediately struck back at his accusers and charged that the grand jury was stacked with employers' men.[31]

While recriminations were passing between the opposing sides, President Gompers arrived in town and counseled peace. The unions were willing to resume negotiations, but the employers, feeling their advantage, held out for unconditional surrender. A demand for a general teamsters' strike was again raised, but more cautious counsel again prevailed.[32]

The strike was now evidently on the wane. Violence had decreased and the boycotted firms were more successful in moving and receiving goods. The grand jury handed down 51 new conspiracy indictments against labor leaders and business men.[33] Desertions from the ranks began. The Lumber Teamsters' Union

[28] Chicago *Daily Labor Bulletin*, May 29, 1905.
[29] *Chicago Record-Herald*, May 25–26, 1905.
[30] *Ibid.*, June 2, 1905.
[31] *Ibid.*, June 4–5, 1905.
[32] *Ibid.*, June 19–27, 1905.
[33] *Ibid.*, July 2, 1905.

voted to return to work, followed by the department store drivers and express drivers. This spelled the end of the strike. The Joint Council voted to end the fight on July 20.[34] The outcome was a crushing defeat for the union. Many of its members were not re-employed, nor were the rehired union men permitted to wear their buttons.

It was a costly victory. Although there were only 4238 strikers involved, the loss of business to the employers amounted to between $10,000,000 and $12,000,000. It cost the employers $5000 a day to house, feed, and protect their strikebreakers, in addition to the $750,000 expended by the employers' association. Eighteen were killed outright and two more died subsequently. Four hundred were injured and 900 were arrested and charged with rioting.[35]

The aftermath of the Chicago strike was a fight in the International Brotherhood of Teamsters. At the convention of 1906 Shea's domination was challenged. He was able to win by a close margin, but a part of the opposition seceded and organized the United Teamsters.[36] Shea won another victory when the court acquitted him on the conspiracy charges.[37] At the convention of 1907 the opposition succeeded in electing Daniel J. Tobin to the presidency. The seceding group now wanted to amalgamate, but the Brotherhood, even under a changed leadership refused, fearing that it might encourage future secessions,[38] but left it open to the secessionists to return as individuals. In 1908, the United Teamsters began to disintegrate outside of Chicago. In Chicago the seceding locals were able to maintain a steady existence for nearly 30 years as the Teamsters' and Helpers' Union of Chicago and Vicinity.[39] Originally a reform movement against the survival under Shea of the Young-Driscoll methods, this union ended by adopting those methods in full and improving upon them.

Although the employer opposition to the teamsters' unions talked civic righteousness and reform, the real cause for the employer crusade was the menace of a united labor front, of which the teamsters, by their readiness to go to the aid of other workers on strike, loomed as the most effective battalion. The charges of

[34] *Ibid.*, July 21, 1905.
[35] *Ibid.*, July 21, 1905.
[36] *The Teamsters*, September 1906, pp. 11–13.
[37] *Ibid.*, March 1907, p. 6.
[38] *Ibid.*, January 1908, pp. 4–5.
[39] Rigg, Sterling F., "The Chicago Teamsters' Unions," *Journal of Political Economy*, February 1926, p. 14.

graft against the leaders undoubtedly contained a degree of truth, but the practical minded employers had borne that situation with patience, some of them indeed finding compensation in turning it to advantage against their competitors. Certainly in the strike of 1905 the leaders of the teamsters had nothing to gain for themselves or for their immediate following. Their efforts to rescue another group of workers from defeat pitted them against a united and aroused employers' front,—manufacturers, merchants, express companies, and others.

CHAPTER VII

THE LABOR BARONY ON THE PACIFIC COAST [1]

In 1885, 200 delegates, representing workers' organizations from a number of Coast cities, met and organized the Representative Council of Trades and Labor Federations of the Pacific Coast, later called the Federal Trades Council of the Pacific Coast. Union membership grew rapidly, and a full time paid secretary was employed. The Council specialized in looking after labor legislation.[2]

Between 1889 and 1891 unionism in California, as elsewhere in the United States, made considerable strides, followed by the usual sequel, organization among employers.[3] In August 1891 the Board of Manufacturers and Employers of California was formed.[4] It supported an attack upon the iron molders, boot and shoe workers, brewery workers, and the Coast Seamen's Union.[5] The attack demoralized the San Francisco labor movement, created dissension in the ranks, and imperiled the continuation of the central labor union.[6]

A Building Trades Labor Bureau and Reading Room was formed in 1890 and was renamed, in March 1891, the Building Trades Council. Friction between the Federated Trades Council and the Building Trades Council was followed by a merger into the San Francisco Trades and Labor Alliance, which later became the San Francisco Labor Council.[7]

During the depression of 1893–96, membership declined disastrously. During the Pullman strike of 1894, Federal troops were sent to San Francisco to protect the crews operating trains on the

[1] The authors are indebted to Professor Charles A. Gulick of the University of California for his kind assistance in securing access to manuscripts in the library of that University. Miss Jane Brandenstein has given valuable help in preparing this chapter.

[2] Eaves, Lucille, *A History of California Labor Legislation*, University of California Publications, 1910, pp. 42–44, 47; *Fifth Biennial Report of California Bureau of Labor Statistics*, pp. 43–44.

[3] Mortenson, Clara Estelle, *Organized Labor in San Francisco from 1897 to 1902*, unpublished manuscript in the library of the University of California, 1911.

[4] *Fifth Biennial Report of California Bureau of Labor Statistics*, pp. 51–54.

[5] Mortenson, *op. cit.*

[6] Eaves, *op. cit.*, pp. 58–59.

[7] Mortenson, *op. cit.*

Southern Pacific Railroad. San Francisco labor showed its solidarity with the American Railway Union by active hostility to the Company and to the troops.[8]

On February 6, 1896, the San Francisco Building Trades Council, a fresh start in building trades organization and destined to exercise for a quarter century a control closely resembling dictatorship, was organized.[9] The Building Trades Council put into effect a uniform working card for all affiliated trades—only those in possession of it being permitted to work on construction. The new Council directed a concerted drive to organize the industry.[10] This organizing campaign anticipated a rush to organize in all trades, reaching its peak in 1899–1901.[11]

In April 1901, 50 business men in San Francisco organized the Employers' Association and created a fund of $50,000, each donating $1000, which later was increased to $250,000. The Employers' Association immediately intervened in a strike of metal polishers, as well as in several other industries at a later date. It declared its determination to boycott employers recognizing organized labor.[12] The gauntlet thrown down by the Employers' Association was picked up in July 1901, by the City Front Federation, the common body of the San Francisco water front trades, formed in January.[13]

Some union teamsters refused to work with non-union men and were locked out by their employer, a member of the Draymen's Association which had a closed shop contract with the union. The Brotherhood of Teamsters called a general strike of teamsters. On July 29, the City Front Federation tied up the docks of San Francisco, Oakland, Port Costa, and Mission Rock in sympathy with the teamsters.[14] The unions joining were the Sailors' Union of the Pacific, four locals of longshoremen, marine firemen, ship and steamboat joiners, porters, packers, and warehousemen; ship clerks, pile drivers, and bridge builders,

[8] Mortenson, *op. cit.;* Plehn, Carl, "Labor in California," *Yale Review*, December 1896, p. 411.

[9] Eaves, *op. cit.*, p. 60; Ryan, Frederick Lynne, *Industrial Relations in the San Francisco Building Trades*, an unpublished manuscript in the library of the University of California, 1930, p. 44.

[10] Mortenson, *op. cit.*

[11] Eaves, *op. cit.*, p. 60; California Bureau of Labor Statistics, *Ninth Biennial Report*, p. 114; *Tenth Biennial Report*, p. 78.

[12] *Coast Seamen's Journal*, August 7, 1901, p. 2.

[13] *Ibid.*, January 30, 1901, p. 7.

[14] *Ibid.*, July 31, 1901, p. 6.

hoisting engineers, steam and hot water fitters, and coal teamsters.[15]

The City Front Federation demanded not only the reinstatement without prejudice of all out on strike, but that the Employers' Association cease to boycott employers employing union labor exclusively. The demands were rejected by the Employers' Association.[16] Several civic groups attempting to mediate were rebuffed by the Association.[17] A month after the strike began, 150 ships were moored to the docks, unable to load cargoes or find crews.[18] Despite this success the unions were anxious to settle. But the Employers' Association remained adamant.[19]

In the middle of September, organized business called on Governor Gage to send militia to San Francisco and passionately denounced the toleration of union violence. The Governor, upon consulting the local authorities, tartly informed the Board of Trade that it "misconceives the law and misstated the facts." [20]

On September 11, the first break in the strikers' ranks took place. The longshoremen in Oakland returned to work.[21] The strikers were being sorely pressed and on September 20, the Allied Printing Trades issued an appeal for aid for the men on strike.[22] On September 29, in a number of clashes between strikers and non-union workers, 17 were injured, several seriously.[23] At the end of September the forces seeking a settlement gained the ascendancy among the employers. On October 2, the City Front Federation ended its strike. The Draymen's Association, the initiator of the controversy, made concessions on overtime and agreed not to discriminate against union men. The closed shop was not granted.[24]

The Shipowners' Association came to terms with the seamen's union. The seamen promised to eschew the sympathetic strike and were given concessions in wages and hours.

The importance of the City Front movement lies in the fact that it ended with the first formal agreement after 17 years of

[15] *San Francisco Chronicle*, July 30, 1901.
[16] *Coast Seamen's Journal*, August 7, 1901, p. 6.
[17] *San Francisco Chronicle*, August 12, 14, 17, 1901.
[18] *Ibid.*, September 1, 1901.
[19] *Coast Seamen's Journal*, September 11, 1901, p. 6.
[20] *San Francisco Chronicle*, September 11, 15, 1901.
[21] *Ibid.*, September 12, 1901.
[22] *Coast Seamen's Journal*, September 25, 1901, pp. 9–10.
[23] *San Francisco Chronicle*, September 30, 1901.
[24] *Ibid.*, October 3, 1901.

struggle by the sailors' union. The sacrifice of the sympathetic strike was more than balanced by this recognition. The agreement went unbroken until after the World War.[25]

As a by-product of this strike came the formation of the Union Labor Party of San Francisco. Like many a labor party in the past, it was an angry protest against the brutal treatment of pickets by the police and against the widely believed partisanship of the city authorities. In all other instances of labor parties growing out of strikes, the interest of workingmen in their party soon subsided, with the subsidence of aroused tempers. Not so in this case. Having been fortunate, or rather unfortunate, in winning a municipal election, the Union Labor Party stamped itself as valuable to two powerful special interests, the public utilities and the vice ring, thereby assuring for itself a greater longevity, but at the expense of its legitimate original purpose.

The Union Labor Party nominated Eugene Schmitz, a popular orchestra leader and a member of the musician's union, but otherwise unknown. He was elected in a three-cornered fight. Schmitz was in the hands of his political manager, Abe Ruef, a lawyer and a one-time reformer. He was re-elected twice, in 1903 and 1905. The first years of his administration passed quietly.

Following the earthquake of 1906, the United Railways secured a blanket permit from the city to substitute a trolley system for all its cable lines, a considerable saving in outlay to the Company.[26] Fremont Older, owner of the *San Francisco Bulletin*, and Rudolph Spreckles, a millionnaire sugar manufacturer, suspected bribery by Patrick Calhoun, president of the United Railways, and brought about a graft investigation. The *Coast Seamen's Journal*, also sensing corruption and jealous of the good name of organized labor, led a protest against the action of the Board of Supervisors. The Labor Council passed the following resolution:

> "We declare every corruptionist—briber and bribed—should be prosecuted and punished according to law and hereby pledge our coöperation to that end; further
>
> "Resolved that we reassert the position of the San Francisco Labor Council as a body organized and conducted for purely economic purposes, having no connection, direct or implied with

[25] Taylor, P., *The Sailors' Union of the Pacific*, Ronald Press, New York, 1923, pp. 95–99.

[26] Hichborn, Franklin, *The System as Uncovered by the San Francisco Graft Prosecution*, J. H. Berry, San Francisco, 1915, p. 59.

the 'Union Labor party' or any other political party organization, and therefore being in no way responsible for the conduct or misconduct of any such party organization." [27]

The graft investigation led to the indictment of Ruef, Schmitz, and the supervisors. Ruef pleaded guilty and Schmitz was likewise convicted. Calhoun, fearing that the prosecution would reach him, again reached out to use organized labor as a tool. He instigated a street car strike to create for himself the opportunity to pose as the savior of the city still in the throes of the disorganization caused by the earthquake.

The carmen had made a demand for more pay. The demands were considered and an adjustment made not altogether satisfactory to the men. Calhoun used the situation to force a strike by bribery. In the home of Mayor Schmitz he paid the secretary-treasurer of the carmen's union to foment trouble. The leaders of the Labor Council, Andrew Furuseth, Michael Casey of the teamsters' union, and Cornelius of the carmen, although unaware of the bribery, feared that the strike would be lost and urged the men against it. Older and the prosecutors helped the Council to halt the strike and tried to introduce a secret ballot into the strike meeting, thinking that the men would then be more likely to vote against it. But the eloquence of the venal leader prevailed. The strike was on.

The city was infuriated. Calhoun was preparing for heroism. He imported gangs of strikebreakers and tried to run the cars. "The strikers attacked the strike breakers viciously. Rioting broke out in the streets. Men were beaten, crippled, killed. The city was in turmoil. In the midst of it, in the most picturesque way Calhoun rode up and down Market street in his machine winning tremendous admiration from the business people and the property owners. 'There's a man who isn't afraid of anything.'" [28] The strike was completely defeated. Calhoun won the city's esteem and the graft prosecution never was able to reach him.

At this time, the mayoralty election came up again. The crucial person was not the Mayor, but the District Attorney. On him fell the burden of the graft prosecution. The Union Labor Party, having lost the support of the Labor Council, was in the

[27] *Coast Seamen's Journal*, March 27, 1907, p. 1.

[28] Older, Fremont, *My Own Story*, The Call Publishing Company, San Francisco, 1919, p. 74.

hands of the Building Trades Council, which, originally aloof from the labor party, now entered the political scene. P. H. McCarthy, the president of the Council, was nominated for mayor and McGowan for district attorney. The Republicans and Democrats on a fusion ticket nominated E. R. Taylor for mayor and for district attorney the incumbent, W. H. Langdon. It was a curious alignment. Patrick Calhoun, just then engaged in union smashing, and all his cohorts in the utilities companies voted for McCarthy of the Union Labor Party in order to oust Langdon.

McCarthy and the building trades justified their stand by blaming all the city's turmoil on the employers' organization, the Citizens' Alliance. The Citizens' Alliance became the official bugaboo of the building trades to be flaunted at the Labor Council. It was an organization formed in 1904 with the declared purpose of bringing the open shop to San Francisco. It worked especially to oppose the stringent union apprentice rules, and it tried to start a builders' association to bring in non-union building workers.

The building trades and their men in office were blaming the graft prosecution on the Citizens' Alliance. They claimed it was an effort undoubtedly prompted by "the organizers of the Old Citizens' Alliance to renew their assaults upon the officers elected by the Union Labor Party in the hope that they may thereby secure control of the municipal administration and thus work out their own will in the matter of the conditions under which labor shall perform the task of rebuilding this city." [29] This specious plea for labor solidarity made no impression on the leaders of the Labor Council, Furuseth, Cornelius, McArthur, and others. They supported Taylor and Langdon, who won the election.[30]

At the following election in 1909, the city, tired of the fruitless prolongation of the graft prosecution which left the "higher-ups" untouched, voted for McCarthy and elected him on the program of "a wide-open town." His campaign consisted of speeches about making San Francisco the Paris of America. He was defeated in 1911, stepping out of the open political arena.

But McCarthy's chief rôle in the San Francisco labor movement was in the industrial arena. McCarthy and his helpers were opportunists and unscrupulous in method, it is true, but they got results.

[29] *San Francisco Examiner*, May 18, 1907.
[30] Hichborn, F., *op. cit.*, pp. 405–424.

They knew how to work for or against an employer as occasion demanded. They appreciated the value of unbroken understandings and a record of industrial peace. Above all they knew how to maintain themselves in control.

The building trades were opposed to collective bargaining and the trade agreement. They had their own method which was practically the dictation of terms. They announced what they wanted. If it was refused, which until 1921 happened only on rare occasions, they would consent to arbitrate the issues of the moment, but to tie themselves with a time agreement they would not consent. McCarthy, in his testimony before the United States Commission on Industrial Relations, said regarding trade agreements:

> "We do not believe in those signed agreements that have possession of you Eastern gentlemen. We believe they are contrary to certain conditions within the confines of this country. We believe that they act as incentives to employers and employees alike, and create trouble at about the time of the expiration of the agreement. Everybody knows that they do. . . . We will not sign time agreements and we believe time agreements are vicious and we are not engaging in anything that is vicious." [31]

Four years after the organization of the San Francisco Building Trades Council, the industrial methodology of the McCarthy school of unionism received a complete illustration. The millmen's union demanded that their hours be reduced from nine to eight. The Building Trades Council notified the mill owners of their request in February. No action was taken.

In the field of building no central employers' organization was permitted by the Council. There were only disunited and separate trade associations. On August 11, 1900, the Plane Mill Owning Association declared a lockout of union millmen. One thousand men in 26 mills were locked out.[32]

McCarthy permitted the millmen in the eight-hour mills to work day and night. In this manner he was able to gain the support of some of the contractors and persuaded the rest to remain neutral. The mill workers throughout the Bay counties were enlisted in the fight to cut off the supply of possible strikebreakers.

[31] *Final Report and Testimony*, United States Commission on Industrial Relations, 1915, Vol. 11, p. 5212.

[32] Ryan, *op. cit.*, pp. 179–180.

On October 16, the mill owners appealed to other employer interests for support. But the contractors were impervious, and the policies of McCarthy successfully blocked a united employer front. The mill owners appealed for public support by citing the competition of outside mills on a longer working schedule. To this McCarthy replied by an announcement that building trades workers would erect no material coming from any place where the hours were longer or the wages lower than in San Francisco.[33]

The Millmen's Union carried the war into the enemy's camp by starting a small mill to furnish supplies to the contractors. McCarthy and the Building Trades Council, especially the carpenters, contributed their funds toward the erection of this mill, which was called Progressive Mill Number One and was capitalized at $100,000. This mill supplied the immediate needs of contractors and broke the lockout which had dragged along into February of 1902.[34]

The mill owners were forced to capitulate, but soon discovered that McCarthy's arbitrary government could be made beneficial to themselves. They decided to take him at his word that outside mills would be barred from San Francisco as unfair competitors underpaying their labor. After this all was harmony.

Out of this conflict in the building trades a set of working rules evolved. Some of these were written into the constitution and by-laws of the Council, some were simply understood to exist, and all these practices operated throughout the entire closed shop period in San Francisco from about 1900 to 1921. Some had developed before the plane mill strike, but later they were formulated by McCarthy as the partly written and partly unwritten constitution of the industry: The union shop; protection of the employers from unfair competition; no sympathetic strikes; negotiation by the Council with employers' associations in individual trades over changes in working conditions; no exclusive agreements between employers and unions; no favorites played between contactors, and refractory contractors to be refused labor and material; employers to be given ninety days' notice when changes in working conditions were contemplated.[35]

McCarthy's constitution for the industry clearly erected a labor barony, with the employer given protection on condition of good behavior. San Francisco's labor owed to the town's geographical

[33] Ryan, *op. cit.*, p. 18. [34] *Ibid.* [35] Ryan, *op. cit.*, p. 187.

remoteness from the thickly populated urban centers its natural protection from the competitive menace of cheap non-union labor. But McCarthy's régime was a barony in still another sense. His Council made the supreme and final decisions in all disputes between affiliated unions. The baron's faithful followers, the individual unions, were not permitted to fritter away their strength in internecine struggles. But neither were they allowed to respect the discipline of their international officers. The San Francisco labor baron refused to permit the shadowy "emperors" in the international union headquarters to exercise any jurisdiction in his barony. Within the barony itself, no manorial court assembly could exercise any rights. The Council, meaning McCarthy and his closest henchmen, took to themselves the right of refusing seats in the Council to delegates chosen by the memberships of individual unions deemed unsatisfactory to themselves.[36] The McCarthy building trades barony, again in common with its medieval prototype, steadily quarreled with its immediate neighbor—the San Francisco Labor Council. This hostility was allowed to override any feeling of solidarity with other groups of labor in distress or on the fighting line against the employers, to say nothing of taking up the cause of the unorganized. In the teamsters' strike of 1901, the building trades refused to lend their support.[37]

In 1902 the final break came between the Labor Council, in all respects like city trades' federations elsewhere in the country, and this unique San Francisco labor barony. The Building Trades Council declared a boycott against a furniture company in conflict with the polishers' and varnishers' union. The Labor Council, feeling that the situation did not require a boycott, settled the matter, obtaining the full demands of the union. The Building Trades Council had up to that time belonged to the Labor Council. It was within the power of the latter to act in the capacity of negotiator.[38] Yet the Building Trades Council chose this as the occasion for a complete break with the Labor Council.

On July 2, 1902, the Executive Council of the American Federation of Labor met in San Francisco and proposed settling the differences between the two councils by a regrouping of the city's unions into different departments, with each having full jurisdic-

[36] Ryan, *op. cit.*, pp. 50, 52.

[37] *Handbook and Directory of the San Francisco Building Trades Council*, 1914; *San Francisco Chronicle*, September 3, 1901.

[38] Ryan, *op. cit.*, p. 77.

tion over its affiliates. The Labor Council would act merely as an advisory board. The Labor Council rejected the scheme by referendum vote, and indignantly accused the American Federation of Labor of urging a dishonorable peace upon its own affiliate that had always acted within its rights. The Building Trades Council coolly ordered its constituent unions to leave the Labor Council. Moreover, the polishers' and varnishers' union, the immediate cause of the trouble, in addition to being forced to withdraw from the Labor Council that had by its intervention assured its victory, was made to apologize in the press to the Building Trades Council.[39]

In 1904, the Citizens' Alliance took up the cause of the building employers, who were forbidden by the Council to form a body coextensive with itself, to break the closed shop. In this it was unsuccessful. The Building Trades Council's luck held even with the courts. In the *Parkinson Co.* v. *Building Trades Council* case, an injunction suit against that Council for damages incurred in a boycott against a non-union planing mill, the California Supreme Court held that "notice and withdrawal of patronage" were not grounds for equitable relief. This decision was of immense consequence to the labor movement of San Francisco and the whole state.[40]

In 1907 McCarthy put a stop to the demands of the electrical workers who struck for higher wages against the orders of the Building Trades Council. A dual union was organized, and the older union was soon demoralized.[41]

In 1910, one year after McCarthy's election to the mayoralty, the most serious strike of the closed shop era occurred. This was precipitated by a strike of the hod carriers' union for a half hour reduction in the working day. One thousand bricklayers joined the 800 hod carriers on strike. Altogether 50 construction jobs were held up, 200 contractors affected, and 5000 workers forced to stop work. A lockout was threatened by the employers.

As Mayor of the city McCarthy was in a position to act. He immediately answered the threat by having building materials removed from the streets. He threatened to revoke spur track privileges of the supply houses. The lockout was abandoned. On the whole, organized labor of the city approved his action.[42]

[39] *Ibid.*, pp. 77, 78.
[40] 154 Cal. 581, 98 Pac. 1027 (1908).
[41] Ryan, *op. cit.*, p. 206.
[42] *Ibid.*, pp. 208–210.

About this time the Ninth State Building Trades Council convention was held. A resolution was passed permitting the building trades unions to affiliate with the Labor Council. This change of attitude may have been caused by pressure from the American Federation of Labor, or it may have been a bid by McCarthy for the Labor Council vote.[43] The breach between the two bodies was repaired in some degree. They had no occasion for intimate cooperation and continued sufficiently amicable so that by 1912 only five building trades unions remained aloof from the Labor Council. However, in 1913 the San Francisco Labor Council supported James Rolph, the candidate of the Good Government League, and helped defeat McCarthy.

In 1912 the building trades employers attempted to form a joint employers' association. For three years the associated employer groups hoped for "recognition," but it never came. The Building Trades Council did everything in its power to destroy it, and in 1916 the employers gave it up.[44] The McCarthy barony lasted another five years when it collapsed under the impact of the post-war open shop drive.[45]

[43] *Ibid.*, p. 84. [44] *Ibid.*, pp. 218–219. [45] See Chapter XXXVII.

CHAPTER VIII

THE PITFALLS OF INDUSTRIAL GOVERNMENT

The upswing in the labor movement in the latter nineties brought to the foreground the miners' organization, which had anticipated the developments in American industry under the National Industrial Recovery Act of 1933, by formulating the underlying purposes and elaborating a technique of industrial government. The building trades unions, which so far as numbers and stability of membership are concerned constituted the bulk of the organized labor movement, presented a different type of industrial government in America. In the building trades, "job conscious" unionism fell victim to a desire to give a one-sided construction to industrial government. It profited by the extremely competitive condition of the industry as well as by the great vulnerability to strikes of the building contractor obliged to deliver his work at a given time. The activities of building unionism caused a state of affairs in which industrial peace with or without honor alternated with angry and sharp conflicts. These conflicts, constituting the employers' efforts to curb the arbitrariness of the unions by imposing an arbitrary rule of their own, were accompanied by exposures of unsavory practices on both sides. The periodic scandals tended to give to the American labor movement and to the American building industry a bad reputation. In the labor movement proper, the building trades added an element of confusion and partial demoralization by their internecine fights over jurisdiction. And due to their self-sufficiency little benefit redounded to the general labor movement from their economic strength.

With the business revival in the latter nineties, the building industry became organized far and wide, in large cities as well as in country towns. It is safe to assume, though statistics are lacking, that the bulk of country-town unionism existed in the building trades. However, the conflicts and the peculiar problems which have since become associated with the building industry and its unions were contributed by the large cities, especially by the metropolitan centers, Chicago and New York.

The building trades unions of Chicago had become important factors in the industry in the eighties. The majority of unions were affiliated with international organizations, either as charter members of such international bodies or the creatures of already formed internationals.[1]

In the spring of 1887, a movement for closer alliance of the building trades of Chicago developed. The Amalgamated Building Trades Council was formed, but the organization was destroyed by dissension in the ranks. Towards the end of 1888, the building trades unions again formed a building trades council for the purpose of establishing the eight-hour day, the creation of a board of arbitration for the peaceful adjustment of differences, the mutual recognition of working cards, and the elimination of strikes.[2]

Besides the Building Trades Council, another group, the Board of Delegates, made up of 32 walking delegates from the different building trades, exercised considerable power. The unions zealously enforced the closed shop, minimum wage standards, limitation of apprentices, regulation of the use of machinery, and boycotted non-union made materials.[3] The chief instrument of enforcement was the sympathetic strike, usually ordered by the Board of Delegates, and the unions showed no reluctance to use this weapon for the enforcement of their demands.[4]

In April 1899, preparations to challenge the domination of the Chicago unions were begun. Representatives of 12 contractors' associations organized the Building Contractors' Council. Four months later the Contractors' Council appointed a committee of five to submit its grievances to the Building Trades Council, and inform that body that unless the unions modified some of their rules, and abolished others, the contractors would be compelled to take steps for their own protection. The unions ignored the threat, even refused to deal with the new contractors' organization.

A break was averted through the intervention of Martin B. Madden, a well-known material dealer and later congressman, who came forth with a proposal of a compromise. The proposal con-

[1] Montgomery, Royal E., *Industrial Relations in the Chicago Building Trades*, University of Chicago Press, 1927, pp. 14–17.
[2] *National Labor Day Gazette and Review*, September 8, 1891, p. 17.
[3] *Report of Industrial Commission*, VII, pp. xlvii–xlviii.
[4] *Chicago Times-Herald*, June 14, 1900.

templated the establishment of joint conciliation boards for each trade and of a general board for the whole industry. These boards would have jurisdiction over union restrictive rules such as relating to machinery and apprenticeship. The employers would continue to observe the closed shop as long as the contract was faithfully kept by the Building Trades Council. The Contractors' Council, as yet unsure of itself, accepted the proposal. The Building Trades Council refused, making war inevitable. It is significant that, fifteen years later, the Madden compromise became the basis of industrial government in the Chicago building industry.[5]

On February 15 the contractors, as their first war action, issued a set of regulations which were to be enforced on all building jobs forthwith. The rules abolished limitation of output and the prohibition of non-union material, made the foreman the sole agent of the contractor, and reserved the right to hire and discharge to the employer.[6] These terms were in violation of existing contracts between some of the unions and employers, but the contractors justified their repudiation on the ground that the unions had accumulated sufficient power to paralyze any building job in Chicago, and that their power must be curbed.[7]

To gain favor with the public, and to escape the charge that they were causing a convulsion in the business life of the city, solely to transfer power from the union Council to themselves, the employers charged widespread graft in the unions. The unions flatly denied these general charges, and in turn charged the organized contractors with seeking monopoly to the detriment of their competitors. These charges were aired before the Federal Industrial Commission which held prolonged hearings on the Chicago building conflict. In these hearings the president of the local bricklayers' and masons' union testified that the mason contractors' association and his union had concluded, in 1897, an agreement whereby the union undertook to keep its members from accepting employment with non-association contractors. The same association, he charged, had a similar exclusive agreement with the material supply groups.[8]

The building trades refused to accept the new regulations, and Mayor Carter Harrison offered to arbitrate the differences at

[5] Montgomery, *op. cit.*, pp. 26–28.
[6] *Report of Industrial Commission*, VIII, xxxviii–xxxix.
[7] *Chicago Record*, March 10, 1900.
[8] *Report of Industrial Commission*, VIII, 219–220.

issue. His offer was rejected by the Contractors' Council, which carried out its program by putting the new rules into effect on February 5. The unions were, however, more conciliatory, and offered to submit their cause to arbitration.[9] The unions ordered their members off the job, and at the end of the first week 26,000 building tradesmen were on strike. The Building Material Trades Council made up of unions engaged in the manufacture of building materials, refused to permit manufacturers to furnish materials to non-union contractors.[10]

In the middle of February Mayor Harrison again proposed a settlement. Each group was to appoint a committee of five, and the decision of the joint committee was to be binding upon both groups. The Contractors' Council rejected the proposal.[11]

At the beginning of the second month of the strike, the contractors gained a powerful ally. The supply men decided not to furnish materials to builders who were not members of the Contractors' Council. This meant that employers of union men could not receive supplies. The brick manufacturers objected to this rule, and the material men later agreed to fulfill existing contracts, but refused to accept new orders from non-members of the Building Contractors' Council.[12]

During March the contractors decided to resume operations with non-union men. Pickets surrounded the non-union jobs, and frequent assaults of strikebreakers took place. The union managed to secure the addresses of a large number of strikebreakers through a raid on the Building Industrial Union, which claimed to be organizing the men who desired to stay on the job. The homes of the strikebreakers were picketed and many were assaulted. An outcry against violence was raised by the contractors, who charged that the influence of Edward Carroll, president of the Building Trades Council and member of the Chicago Civil Service Commission, was responsible for the failure of the police to enforce the law. The outcry raised against Carroll forced him to resign from the Civil Service Commission.[13]

An attempt to end the paralysis of the building industry was again made by Martin B. Madden at the end of April. He sug-

[9] *Chicago Times-Herald*, February 8, 1900; *Chicago Record*, February 10, 1900.
[10] *Chicago Times-Herald*, February 12, 1900.
[11] *Ibid.*, February 25, 1900.
[12] *Chicago Record*, March 2–8, 1900.
[13] *Chicago Times-Herald*, April 13, 15, 21, 25, 30, 1900.

gested that the employers and workers of each craft settle their differences independently of the two Councils. The Building Contractors rejected this suggestion, and issued a revised basis of settlement which contained a demand that the unions withdraw from the Building Trades Council and agree not to join a similar body during the life of the agreement.[14]

The contractors were in the meantime seeking to resume operations with non-union men. The unions resisted, and the grand jury began considering strike violence. Twenty-one labor men were indicted, but the grand jury refused to take action against material men who had refused to sell to union contractors.[15]

The Chicago labor movement was anxious for peace in the building industry. During May delegates from 190 unions, speaking for the entire Chicago labor movement, met and indorsed the selection of an impartial committee to investigate the building labor situation and to bring about a settlement. The committee was to be made up of three representatives of labor unions not affiliated with the Building Trades Council, three representative citizens, and Professor Graham R. Taylor, of the Chicago Theological Seminary, as chairman. The contractors refused to cooperate.[16] H. H. Kohlsaat, a leading Chicago publisher, also tried to bring about a conference between the two groups, but without any success. The Executive Council of the American Federation of Labor intervened and tried to effect a settlement, but to no avail. The Contractors' Council was determined to destroy the Building Trades Council, and refused to consider any proposal from any person or organization affiliated with the latter body.[17] The unions were in a conciliatory mood. They offered to eliminate the sympathetic strike, and to establish arbitration machinery for the adjustment of disputes, but the contractors demanded the withdrawal from the Building Trades Council as a prior condition of negotiation.

The unions were tiring of the protracted struggle, and during June signs of defections from the ranks began to appear. On June 27, the bricklayers agreed to the contractors' terms and signed a three-year contract.[18] The hoisting engineers and electricians withdrew from the Building Trades Council during July

[14] *Ibid.*, April 21, May 13, 1900.
[15] *Ibid.*, May 3–5, 1900.
[16] *Ibid.*, May 14, 1900.
[17] *Ibid.*, May 20–21, 1900.
[18] *Ibid.*, June 28, 1900.

and August.[19] Dissatisfaction with the leadership of the Building Trades Council became widespread as a result of the prolonged strike. During August an attack was directed against Martin B. (Skinny) Madden, the real leader of the Council. Madden managed to repel the attack, and to save his leadership for a time.[20]

The resistance of the unions was gradually wearing down. During October the plasterers withdrew from the Council, and signed an agreement.[21] A more ominous development took place during November. Secession movements were gaining momentum in a number of unions. During December the steam fitters, the gas fitters, the hod carriers, and building laborers withdrew from the Building Trades Council and surrendered.[22] In February 1901, the carpenters' union, the chief supporter of the Building Trades Council, capitulated, and this enabled the contractors to force the remaining unions into line.[23]

The contractors carried the day, and the strike, which at one time affected between 50,000 and 60,000 workers, ended. The contractors were able to dictate agreements, but the closed shop was left untouched in a majority of the trades. It was estimated that $16,000,000 in wages and $5,000,000 in profits were lost in the struggle. More than 150 assaults took place, five of which proved fatal. The Building Trades Council was left without funds, and it was forced to dissolve after its constituent unions were no longer able to defend it.[24]

For the time being the building trades unions suffered a crushing defeat in the loss of their power openly to practice the sympathetic strike. However, the nature of the building industry, with its multiplicity of conflicting interests on the employing side, and with the deep roots of its unionism, was such that before long the natural united front of labor was recreated, without the sanction of the employers. In the Chicago situation the Building Trades Council and the sympathetic strike were revived before the ending of a decade. Furthermore, while before the defeat of 1900 the charge of graft was merely general and apparently difficult to corroborate, a decade later, it had become rampant, widely recog-

[19] *Ibid.*, July 30–August 15, 1900.
[20] *Ibid.*, August 30, September 16, 1900.
[21] *Ibid.*, October 5, 1900.
[22] *Ibid.*, November 21, December 12, 19, 27, 1900.
[23] *Report of Industrial Commission*, VIII, xlv.
[24] Montgomery, *op. cit.*, pp. 28–32.

nized, and identified with the aggressive and colorful character of Martin B. ("Skinny") Madden.[25]

The movement for the organization of a central building trades council began in New York City in 1884. The Board of Delegates, originally composed of four members, grew until it contained representatives from every building trades union, except the bricklayers. In 1894 a group of unions withdrew from the Board of Delegates, and formed the Building Trades Council. Both bodies maintained an independent existence until 1902, when they amalgamated and formed the United Board of Building Trades. Twenty-two unions of skilled mechanics and 15 unions of semi-skilled and unskilled building workers were represented in the new body.[26]

While the workers in the building trades were consolidating their power, the employers were content to be organized in craft associations. As a result the unions, by resorting to the sympathetic strike, were able to tilt the balance of power in their own favor.

During 1903 [27] a series of controversies drove the numerous employers' associations into one central group, and ended in the reluctant acceptance by the unions of the employers' system of arbitration, which for seven years gave the employers a favorable framework for maintaining supremacy.

During the early months of 1903, a jurisdictional dispute between the Amalgamated Society of Carpenters and the United Brotherhood of Carpenters and Joiners resulted in a lockout of 10,000 members of the Brotherhood. The United Board of Building Trades had demanded that the Amalgamated Society of Carpenters be allotted 50 per cent of the carpenter jobs in New York. The employers backed the United Brotherhood of Carpenters and Joiners.[28] Peace was restored by an agreement which allowed members of both organizations to work on the same job, and called for the selection of a joint committee to bring about a permanent settlement.[29]

Before the settlement of this jurisdictional dispute a struggle

[25] See below, p. 96.

[26] Winslow, Charles H., "Conciliation and Arbitration in the New York Building Trades," *Department of Labor Bulletin*, No. 124, Washington, p. 7.

[27] Commons, John R., "The New York Building Trades," *Quarterly Journal of Economics*, May 1904, pp. 409–434.

[28] *The Carpenter*, June 1903, p. 4.

[29] *Ibid.*, July 1903, p. 4.

of much greater importance began. The material drivers and lumber handlers had recently been organized, and the new unions presented demands for the closed shop, an increase in wages from $1.50 to $2.00 and $2.25 per day, and a reduction in the hours of labor from 12 and 14 to 10. The demands were supported by the United Board of Building Trades, with which the drivers and lumber handlers were affiliated. The building material employers and lumber dealers refused the demands, and closed their shops until such time as the workers would accept the employers' conditions and renounced their union.[30] The lockout of 3200 drivers and 750 material handlers practically paralyzed building operations in New York City.[31] The material men and lumber dealers demanded that the United Board of Building Trades withdraw its support from the drivers and material handlers, or they would refuse to furnish materials to contractors employing union men.[32] A committee from the United Board of Building Trades met with representatives of the material men, and the union committee agreed that the drivers and material handlers should return to work under non-union conditions. This appeared satisfactory to the employers who were willing to reopen their plants. The agreement was, however, repudiated by the United Board of Building Trades, and the struggle continued.[33]

The material men were encouraged in their anti-union attitude by the large builders. The unionization of the material handlers and lumber drivers would have placed this union in a strategic position to aid organized labor in any controversy in the building trades, and the employers decided that no peace would be made until the material men renounced their affiliation with organized labor.[34]

At the end of the first month of struggle, a number of the skilled crafts sought a settlement of the labor difficulties. Sixteen of the skilled unions sought to force the withdrawal of the material handlers from the United Board of Building Trades. They were blocked by Sam Parks of the housesmiths' union, a local of the International Association of Bridge and Structural Iron Workers, and a dominant figure in the building trades. The 16 skilled unions thereupon withdrew from the United Board of Building

[30] State of New York, *Labor Bulletin*, June 1903, pp. 148–149.
[31] *New York Sun*, May 7, 1903.
[32] *Daily People*, May 24, 1903.
[33] *New York Sun*, June 4, 1903.
[34] *Daily People*, June 4, 1903.

Trades, and agreed to handle building materials, regardless of whether it was union or non-union. The material yards opened, and it was expected that building operations would be resumed.[35]

The contractors were, however, unwilling to restore the *status quo ante*. During the lockout of the material men, a meeting of contractors had been called by the president of the Building Trades Association, at that time a strictly social organization. Seven hundred and two contractors attended, and plans were laid to challenge the domination of organized labor. More than 2000 individual employers joined the Building Trades Employers' Association during the first week,[36] in addition to 33 employers' craft associations.[37]

Practically all of the building contractors of New York City were now mobilized in a central employers' association which decided to curb the power of the unions. An arbitration plan designed to eliminate sympathetic strikes and destroy the power of the business agent was presented to the unions, as a prerequisite for resuming negotiations.

The Arbitration Plan proposed a tribunal made up of two representatives from each employers' organization affiliated with the Association, and a similar number from each union recognizing the plan. Regular sessions were to be held monthly. An Executive Committee made up of six representatives of employers and six of the unions was to be selected. It was stipulated that the union representatives must be employees of an Association member at the time of their election to the board. This clause was inserted to prevent the business agents of the unions becoming members of the board. In case of a dispute between a union and an employer the question was to be submitted to the Arbitration Board's Executive Committee. If the decision was unsatisfactory the case could be appealed to the General Arbitration Board. In the event that no decision was reached, a committee of four, two representing the employers and two the workers, was to be drawn from trades unaffected by the disputes. If the employer refused to obey the decision of the Arbitration Board, he was to forfeit the bond each member of the Employers' Association deposited for good faith, and the workers were permitted to call a strike on his job. A union violating the decision would be left without the assistance

[35] *New York Sun*, June 9–10, 1903.
[36] *Ibid.*, May 16, 19, 20, 1903.
[37] *The Carpenter*, July 1903, p. 4.

of the other craftsmen, who were to agree to work with non-union men under these conditions. Only the grievance of a single union could be considered at a time.[38]

The unions rejected the plan. Next the Board of Governors of the Employers' Association decided to extend the lockout to all buildings without exception. The lockout was enforced through a request to the Hoisting Association to order a cessation of all hoisting of materials upon construction jobs.[39]

Notwithstanding this drastic step, the employers still maintained that they were not opposed to organized labor, but merely sought to install the arbitration method of settling all disputes.[40] The unions, on the contrary, saw in it an attack upon the existence of organized labor.

In the middle of June, the George A. Fuller Construction Company, the largest outside company operating in New York, decided to suspend operations. This Company had been avoiding the New York controversy, and its joining the Building Trades Employers' Association campaign meant that an additional 20,000 workers would be thrown out of employment.[41] The State Board of Arbitration intervened with an offer to arbitrate, but the employers refused. The unions finally decided to meet the crisis by a counter-offensive. They decided to refuse to work for any contractor affiliated with the Building Trades Employers' Association. So serious was the situation that both the United Board of Building Trades and the Building Trades Mechanics, comprising the 16 skilled unions which had shortly before seceded from the former, decided to stand shoulder to shoulder.[42]

The first success was won by the unions. The George A. Fuller Construction Company broke away from the employer united front and signed a separate agreement providing for complete union recognition, the closed shop, arbitration of all differences, and the prohibition of sympathetic strikes. The important difference between this agreement and the one offered by the Employers' Association was the retention of the business agent as the union spokesman. The Fuller Company was always friendly to

[38] Winslow, C. H., *op. cit.*, pp. 11–12; *United States Commission on Industrial Relations*, Vol. II, pp. 1587–1588.
[39] *New York Sun*, June 15, 17, 1903.
[40] *Daily People*, July 19, 1903.
[41] *Ibid.*, June 19, 1903.
[42] *Ibid.*, June 26, 1903.

the unions. It was charged by some that it received special consideration from Sam Parks, who had been an employee of this Company before he became an active leader of labor.[43]

The controversy between the two groups continued, and at the beginning of July the National Civic Federation entered the situation and arranged a conference. A compromise embodying the employers' terms of abolishing the sympathetic strike and ruling out the business agent was worked out and accepted by the unions' representatives, subject to ratification by the individual labor organizations.[44] The compromise caused disruption of the labor unity. The skilled trades felt that the proposed agreement held no serious threat to their interests and favored it. Sam Parks of the housesmiths, speaking for the semi-skilled and unskilled, led the opposition. The unions of the skilled began ratifying the compromise, and ten days after the submission of the agreement 14 unions comprising 35,000 building tradesmen had voted in its favor.[45] Thereupon the employers boldly announced that, unless the other unions followed suit, dual organizations would be formed in their trades.[46] The center of the opposition continued in Sam Parks' Housesmiths and Bridgemen's Union. At the end of July, the Iron League issued an ultimatum to this organization that unless the housesmiths returned to work by August 3 their jobs would be filled with non-union men.[47] Under the new arrangement the other organized craftsmen could not object to working with non-union men in another craft.

By the middle of August, many other unions had accepted the Arbitration Plan. Yet several unions led by the housesmiths held out. The Employers' Association carried out its threat and organized dual unions in these trades.[48] This led to further capitulations, some of the regular unions submitting to the humiliation of being compelled to merge with dual bodies. The International Executive Board of the Bridge and Structural Iron Workers' Union proposed to avoid abject surrender by stipulating that the members of the dual organization be given an examination to determine their qualification for admission. The Building Trades Employers' Association, however, insisted upon their unconditional admission. In March 1904, the Bridge and Structural Iron Work-

[43] *New York Tribune*, June 30, 1903; *Daily People*, June 30, 1903.
[44] *Daily People*, July 4–5, 1903.
[45] *Ibid.*, July 21, 1903.
[46] *Ibid.*, July 29, 1903.
[47] *Ibid.*, July 30, 1903.
[48] *Ibid.*, August 19, 1903.

ers' Union finally surrendered to the contractors on this point.[49] This established peace in the industry. The employers, by showing a united front, had undoubtedly carried the day. The power of the business agent was for a time eliminated and the sympathetic strike outlawed.

One year later the iron workers rebelled against the agreement by going on strike against the Post and McCord Company, in defiance of an award by the Arbitration Board. The International Association of Bridge and Structural Iron Workers had called a strike against the American Bridge Company, and claimed that the Post and McCord Company was part of the latter organization. This was denied, and the Company appealed to the General Arbitration Board. The Board ordered the iron workers to return to work pending the investigation of the charges. The union refused to obey the order, and as a result was expelled from the General Arbitration Board, with the consent of practically all of the other building trades unions. The establishment of the open shop in the iron workers' trade in New York as a result of this incident proved beyond doubt the employer supremacy in the New York building industry.[50]

This situation continued until 1910, when the steam fitters struck in violation of the arbitration agreement. The employers naturally demanded that the steam fitters be expelled from the Board, but this time they encountered a united union opposition. As a result the Arbitration Plan collapsed. The Plan was never popular with the leadership of the unions and the business agents whom it eliminated from control. Since, under the agreement, the union representatives were men working on jobs, the arbitration machinery tended to develop rivals for leadership.

To this was added the natural hostility of the international officers resentful of the presumption of the Arbitration Board to decide jurisdictional disputes between local unions. Furthermore, the local unions who entered the arbitration arrangement after a crushing defeat and under threat of being replaced by employer-inspired dual unions, could not be expected to cherish the institution. The instrument was gradually undermined by dilatory procedure and by willful disregard by the unions, under the inspiration

[49] *Bridgemen's Magazine*, November 10, 1903, pp. 11–12; April, 1904, p. 4.

[50] Grant, Luke, *The National Erectors' Association and the International Association of Bridge and Structural Iron Workers*, United States Commission on Industrial Relations, 1915, pp. 59–62.

of their international officers, of the jurisdictional awards of the Board.[51]

Charges of widespread graft in the building industry have frequently been made. The existence of corruption has been revealed by legislative investigations and criminal prosecutions. Evidence that the business agent has often extorted money payments through threats of strikes has been produced. Nevertheless, the business agent has been neither the sole nor the chief beneficiary of the system which made graft possible. Favored employers have also benefited. Contractors and material men have used the grafting business agent to gain monopolies, to harass competitors, or to escape penalty when unable to complete the work on the date specified. The grafting business agent of a union is not to be confused with the "padrone" or the parasitical boss of foreign, mostly Italian, laborers. Nor can he be identified with the latter day gangster leader of a so-called union. Grafter though he was, his grafting was incidental to his activities in behalf of the membership. The sympathetic strike, his chief instrument for levying tribute on the employer, was at the same time an effective leverage to improve wage and other standards of employment. Nor need one assume that the grafter's solicitude for the welfare of his constituency was exclusively due to his desire to retain profitable office. Contrasting with the "padrone" and the gangster, he felt with the group, as one who has risen from its ranks, and was different from the rank outsider to whom the "union" is a mere matter of cold business. Furthermore, the graft came out of the pockets of the builder, and ultimately the consumer, and as long as wages and job conditions were improving, the building tradesmen, far from feeling oppressed by the leader, viewed him as an efficient fighter for their interests. The trend of wages in the building industry between the years of 1890 to 1926 shows that hourly earnings rose from an average of 0.341 in 1890 to 1.313 in 1926. The relative earnings during this period rose from 98 to 378.[52]

New York and Chicago more than any other American cities have had their building graft scandals. Charges of grafting business agents in the Chicago building trades unions were made by contractors to the Industrial Commission at its hearings in that

[51] Haber, William, *Industrial Relations in the Building Industry*, Harvard University Press, Cambridge, 1930, pp. 358–361.

[52] Douglas, Paul H., *Real Wages in the United States, 1890–1926*, Houghton Mifflin, Boston, 1930, p. 135.

city in 1900.[53] However, none of those who made the charges were willing to substantiate them, and the charges were disregarded by the authorities. The unions' defeat in 1900 ended all talk of graft for the time being.

During the building trades lockout in New York in 1903, charges of graft were made against Sam Parks. Parks was charged with extorting several thousand dollars from contractors under threats of calling a strike. He was indicted and arrested on these charges in June 1903.[54] After the arrest of Parks, District Attorney W. T. Jerome announced that there was evidence of widespread graft and extortion amongst a number of union business agents. He claimed that $17,000 in "strike insurance" was paid on one job alone. At the same time the grand jury indicted the business agent of the derrickmen's, riggers' and painters' unions on charges of extortion.[55]

Parks' indictment did not lessen his prestige in the union. In the election for business agent, Parks received the highest vote of any of the candidates.[56] After his election, he was indicted a second time and his trial began on August 14. The evidence showed that Parks' customary method was to call a strike for one reason or another, and to send the men back to work after the payment of a stipulated sum. The State also charged that Parks was in league with the George A. Fuller Construction Company, and that many of the strikes had been called to injure competitors. The latter charges were never fully proved, but it was known that Parks was on friendly terms with the officers of that Company, which had employed him as a foreman prior to his gaining prominence in the New York unions.[57] After a two-weeks trial, Parks was convicted and sentenced to prison.[58]

Parks' conviction failed to lessen the confidence of the membership in his integrity. This confidence was not due to stupidity, but to Parks' loyalty to his followers as shown by his achievements in their behalf. When he became business agent in 1896, the organization was weak and powerless and the wages were $2.00 a day. Under his leadership the union won complete job control in New York City, and the wages of iron workers rose to $4.50 in 1903.[59] What the average union man therefore saw and approved was

[53] *Chicago Record*, March 10, 1900.
[54] *New York Sun*, June 9, 1903.
[55] *Ibid.*, June 11, 1903.
[56] *Daily People*, June 22, 1903.
[57] *Ibid.*, August 19, 21, 1903.
[58] *Ibid.*, August 27, September 2, 1903.
[59] *Bridgemen's Magazine*, May 1904, p. 4.

Parks the fearless leader, ready to tie up a job at a moment's notice if his demands were not met. To pass proper moral judgment on Parks and his complacent followers it is necessary to bear in mind that the employers were equally opportunistic. They rebelled against the graft practice and made open charges only when they were faced with the menace of an effective united front of building labor rendered unbeatable by the adherence of the material handlers. The charges of graft also served the end of anti-strike publicity.

After the 1900 strike in Chicago, a central organization of building trades was secretly established, but it failed to gain complete control until 1911.[60] Throughout this period murmurs of the existence of grafting business agents were heard, and in 1909 three business agents of building trades unions were convicted of grafting and fined $500 each. In the Chicago building industry grafting unionism was brought to light periodically after 1909. Chicago's Sam Parks was the redoubtable "Skinny" Madden of the steam fitters. He and his close associates in several other unions perfected the technique of grafting to a science, and their joint exploits, like the exploits of Sam Parks, served to alienate public opinion not only from the organizations headed by the guilty, but from the whole labor movement.

[60] Montgomery, Royal E., *op. cit.*, pp. 33–48.

CHAPTER IX

LABOR'S DEFEAT AT THE MARNE

The struggle of the Amalgamated Association of Iron, Steel and Tin Workers against the recently organized United States Steel Corporation lacked the sensational elements of the more violent labor controversies. In many respects it was a prosaic conflict lacking the pyrotechnics of Homestead. Despite its drabness, this struggle for unionism was of all-embracing importance. The fight was to decide whether the newly constructed citadel of wealth, the United States Steel Corporation, was to remain union or non-union, and whether the large industrial and financial interests were to accept unionism, as a natural and normal part of the industrial structure. The controversy, as such, did not involve any question of wages, hours, or working conditions. It turned wholly on the extension of unionism.

The Amalgamated Association of Iron, Steel and Tin Workers had maintained a strong position in the industry since its formation in 1876. At the beginning the organization admitted only the highly skilled men. In 1879 the scope of the organization was enlarged to include some of the crafts that had been excluded, and in 1889 a further amendment permitted all men working around rolling mills, steel works, nail, tack, spike, bolt, and nut factories, pipe mills and all connected works, except laborers, to join. Laborers could be admitted by the subordinate lodges, although they were rarely so admitted.[1] The union was interested in advancing the conditions of the more skilled, and it was guided by a narrow and short-sighted policy. The interests of those who did not belong to the union did not concern the organization, and often the policies were determined by immediate advantages which were at variance with the long-time interests of the organization. An example of this type of short-sightedness was the action of the convention in 1884 in rejecting the three shifts per day. A day's work was calculated as the basis of output, and the union feared that its members would be unable to produce what was

[1] Fitch, John, *The Steel Workers*, Russell Sage Foundation, New York, 1910, pp. 257–258.

then considered a day's work in eight hours. The union actually took action against mills going on an eight-hour basis, and demanded that they return to a longer work day.[2]

During the eighties, the union could afford to be indifferent to the shorter work day. A great portion of the work was being performed by hand labor requiring considerable skill and great physical strength, and the union men were not faced with the problem of scarcity of jobs. Wages were relatively high and the men were in an advantageous bargaining position. Changes were, however, beginning which diminished the need of skill and increased the menace of unskilled competition.

There was, however, another change beginning in the industry which in time threatened the hold of the union. In 1882, Carnegie, Phipps and Company took the first step towards industrial integration. The Company purchased a controlling interest in the stock of the H. C. Frick Coke Company, the largest owner of coal lands and producer of coke in the Connellsville region of Pennsylvania. This purchase assured the Carnegie Company a supply of coke at a price close to the cost of production. Later the Carnegie Company purchased some natural gas lands and limestone quarries.[3] The action of Carnegie, Phipps and Company did not remain unnoticed, but there was a comparative lack of integration until the latter nineties. In 1892 the Carnegie Company purchased a half interest in the Oliver Mining Company, which at the time held leases on several important iron mines on the Mesaba Range in Minnesota. In 1896 the Carnegie Company executed a contract with the Lake Superior Consolidated Iron Mines providing for the lease for a period of 50 years of ore properties at a royalty of 25 cents a ton.[4]

The Carnegie policy of vertical integration as yet stood alone. The other steel masters employed the method of pools and price fixing. From 1887 to 1896 there was a series of intermittent pool arrangements among producers of primary and secondary steel products.[5]

The inadequacy of the pool for controlling prices and allotting

[2] Amalgamated Association of Iron and Steel Workers, *Journal of Proceedings*, 1885, pp. 1547–1549.

[3] Meade, Edward Shorewood, "The Genesis of the United States Steel Corporation," *Quarterly Journal of Economics*, August 1901, p. 523.

[4] Commissioner of Corporations, *Report on the Steel Industry*, Washington, 1911, Part I, pp. 68, 76.

[5] *Ibid.*, pp. 71–74.

production turned the industry towards the merger method. In 1889 the Illinois Steel Company, a merger of three competing firms, was organized. The Carnegie Steel Company, the product of a merger of Carnegie, Phipps and Company with competitors, with a capital stock of $25,000,000, was also formed. During the nineties the merger movement was impeded by unfavorable economic conditions, but with the return of prosperity the movement reached its peak.

Throughout these epoch-making changes in the structure of the industry, the Amalgamated Association continued its old established narrow and exclusive policies. Homestead delivered it a blow from which it never recovered.[6] Its immediate loss in membership was 7000,[7] and the total dropped from 24,068 in 1891 to 10,050 members in 1898. During 1898–1901 the membership fluctuated between 10,000 and 14,000. On the eve of the great steel strike of 1901, the union was far below its peak membership strength.[8]

With the record upswing in business after 1898 the consolidation and merger movement took on increased momentum. In 1898 the Federal Steel Company was formed as a consolidation of the Illinois Steel Company, the Lorain Steel Company, and the Minnesota Iron Company. Early in 1899 the National Steel Company was organized, with a capital stock of $59,000,000, and acquired the majority of the crude steel manufacturing concerns west of the Alleghenies. The Carnegie Company was reorganized in 1900 with a capital of $320,000,000. These three concerns, the Carnegie, the Federal, and the National Steel, between them controlled the crude and semi-finished steel market in the United States.[9]

A series of mergers also took place in the finished steel section of the industry: in 1898, the American Tin Plate Company, with $46,000,000 of capital stock; in 1899 the National Tubing Company, with $80,000,000; and, about the same time, the American Steel and Wire Company, with $90,000,000, the American Steel Hoop Company with $33,000,000, the American Sheet Steel Company with $49,000,000, and the American Bridge Company, formed in April 1900, with $60,000,000 of capital stock.

[6] Commons and Associates, *op. cit.*, Vol. II, pp. 495–499.

[7] Amalgamated Association of Iron, Steel and Tin Workers, *Journal of Proceedings, Twenty-seventh Annual Session*, p. 6337.

[8] Robinson, Jesse S., *The Amalgamated Association of Iron, Steel and Tin Workers*, Johns Hopkins Press, Baltimore, 1920, p. 21.

[9] Commissioner of Corporations, *Report on the Steel Industry*, Part I, pp. 2–4.

Each of these concerns virtually controlled the field of its special production, but was dependent for raw materials upon the group of primary steel producers. Both primary and secondary steel producers were dependent upon the iron mines and transportation services which they did not control. With integration the order of the day, it was natural that the next move should be an attempt in that direction.[10]

In 1900 an ominous report became current in the steel market. A rumor was circulated that the Carnegie Company, which already owned the largest ore deposits available, determined to invade the finished steel market. This would have led to retaliatory invasion by the secondary steel manufacturers of the crude steel market, and the consequent development of a suicidal price war. But to the steel industry, due to the decline in the market during the spring of 1901, a price war would have meant not only loss of earnings but dangerous consequences to its capital structure. The leading financial houses felt impelled to interfere, and proposed to avert war by carrying the merger movement to its logical conclusion.[11]

The outcome was the United States Steel Corporation. This corporation, incorporated under the laws of New Jersey in February 1901, issued $1,100,000,000 worth of stock, divided into 5,500,000 shares of preferred and the same amount of common, each of a par value of $100.[12] In addition, bonds to the amount of $302,000,000 were issued. The new company acquired at once the Carnegie Company, the Federal Steel Company, the American Steel and Wire Company, the American Sheet Steel Company, the American Tin Plate Company, the American Steel Hoop Company, the American Bridge Company, the National Tube Company, the Bessemer Steamship Company, the Shelby Steel Tube Company, and the Lake Superior Consolidated Mines. The United States Steel Corporation also acquired the Union Steel Company in 1902, the Clairton Steel Company in 1904, and the Tennessee Coal, Iron and Railroad Company in 1907.[13]

This merger movement, while it staggered the country by its sheer magnitude, had more immediate effects upon labor and

[10] *Ibid.*, pp. xvii–xviii, 2–4.

[11] Meade, E. S., *op. cit.*, p. 538.

[12] Wilgus, Horace L., *A Study of United States Steel Corporation*, Callaghan and Company, Chicago, 1901, p. 1.

[13] Commissioner of Corporations, *Report on the Steel Industry*, Part I, p. xix.

unionism in the industry. A great stimulus was given to revolutionary changes in processes and technique, resulting in the substitution of unskilled laborers for skilled mechanics. Consequently the union's policy of excluding the unskilled from the organization now deprived it of the whole-hearted support of a growing class of workers in the industry.[14] The union took cognizance of the merger movement at its convention of 1900 in a decision that: "Should one mill in a combine or trust have difficulty, all mills in said combine or trust shall cease work until such grievance is settled." [15]

This was a necessary defensive move. Unless the union treated all of the mills of a combine as a single unit, there was nothing to prevent the combine from defeating the union by shifting work from union to non-union plants with no inconvenience to itself.

The formation of the United States Steel Corporation presented an opportunity for testing this policy on a large scale. Although, as said previously, the union's strength had been declining since Homestead, it could hardly delay decisive action, for now its very existence as a functioning organization was at stake.

Indeed the union did not exaggerate its own danger. The Board of Directors of the United States Steel Corporation, at an early meeting, took up the labor policy of the company. An immediate clash with organized labor was not desired. The securities of the new company, containing a generous amount of water,[16] were still reposing in the vaults of the underwriting banking houses, and an adverse effect upon the market was naturally feared. Then the general public reaction to this billion and a half dollar corporation was to be considered. The Board decided to leave it to each subsidiary company to conduct its own negotiations with the union.[17]

The convention of the union in 1901 instructed the Conference

[14] Robinson, J. S., *op. cit.*, p. 160.

[15] *Report on Conditions of Employment in the Iron and Steel Industry in the United States*, Senate Document No. 110, 62d Congress, 1st session, Vol. III, p. 116.

[16] The Bureau of Corporations report on the steel industry estimated that upon a basis of historical cost, the value of the properties (tangible assets) was $676,000,000; on the basis of market value of the securities of the constituent companies, including intangibles, it was $793,000,000, and by a detailed estimate of the physical properties of the companies, approximately $692,000,000. *Report of Commissioner of Corporations*, Vol. I, p. 37.

[17] *Report on Conditions of Employment in the Iron and Steel Industry*, Vol. III, p. 497; *Hearings before the Committee on Investigation of the United States Steel Corporation*, House Report No. 1127, 62d Congress, 2d session, 1912, pp. 3819–3833.

Committee to demand the scale for all the mills of a corporation, whether hitherto unionized or not. The union was mindful of the practice of large corporations to sign an agreement for a certain number of mills on condition that the other mills would not be unionized. Thereupon it often occurred that union mills would be shut down and the orders diverted to the non-union plants of the same company. The union well understood the danger of this bloodletting treatment, and now sought to avert it at the source. But this scarcely suited the books of the Board of Directors of the United States Steel. The huge combine, unwilling to provoke an open fight, was willing to leave matters as it had found them in the constituent companies—at least for the time being. But to permit fresh unionization was out of the question. This decision by the Corporation was not made public until the Stanley Congressional inquiry of 1910.[18] At the time the leaders of the Amalgamated could not have been certain of it; therefore their policy really showed considerable perspicacity. They realized that time was on the side of the employer, that if the union were unable to establish itself before the United States Steel had solidified its financial position by disposing of its large block of securities, it would be virtually banished from the industry. If concrete proof was needed that under the consolidated régime, the part union, part non-union plan was a standing menace, it was amply supplied by the conflict at the Denves Wood mill at McKeesport early in 1901. A strike was called against this mill owned by the American Sheet Company, following the discharge of a number of men who had joined the union. The Company took the position that any attempt to unionize this mill was in violation of contract, for it had been agreed that this mill was to remain non-union. The difficulty was settled upon condition that no further effort to organize would be made during the term of the contract.[19] With the employer side now completely consolidated and the operation of the industry subject to one will, it was evident that to continue to acquiesce in this self-denying arrangement made it a mere matter of time before the union would be shouldered out of the industry.

At its conference with the American Steel Hoop Company in Cleveland on June 18, 1901, the union demanded that the scale

[18] *Report on Investigation of United States Steel Corporation*, House Report No. 1127, 62d Congress, 2d Session, p. 128.

[19] *Iron Age*, April 25, 1901, p. 22.

should be signed for all of the mills, and some changes in the wage rates. The Company agreed to the wage demands, but it was unwilling to sign for all of its mills. Several days later a conference between the American Tin Plate Company and the union was held at Cleveland. A dispute on unionizing all of the Company plants arose. The representatives of the Company protested against this demand, claiming that the Company would lose standing with the United States Steel Corporation if it were forced to accept terms less favorable than those accepted by other subsidiaries. This was repeated a day later at a conference with the American Sheet Steel Company.[20]

The union and the officers of the Sheet Steel Company met again, but the demand for the unionization of all the mills of the Company continued to stand in the way. The Sheet Steel Company offered to compromise on unionizing all of its plants except the Old Meadow at Scottdale and its Saltsburg plants. These plants had become deunionized in recent years and now the Company demanded that the non-union system be sanctioned in the new agreement.[21]

The failure to reach an agreement with the American Sheet Steel and the American Steel Hoop Companies led to the issuance by President Shaffer on July 1 of a strike order against the 23 mills of these Companies. On the same day, President Shaffer dispatched a letter to Warner Ames of the American Tin Plate Company, appraising him of the union's policy to tie up all mills in a trust or combine if one of the mills was called on strike, and threatening a strike if no settlement was made within a week.[22] About 38,000 workers of the Sheet Steel and Steel Hoop Companies answered the call.

An attempt to settle was made at a conference at Pittsburgh on July 10, 11, and 12 between the union and the three combines involved. The proposal was made that the American Steel Hoop should sign for all mills, but the Companies insisted on excepting five mills. This would have given the union six new mills. The union, however, was forced to reject the offer. Hundreds of men had gone on strike in the hoop mills and they would have failed

[20] Amalgamated Association of Iron, Steel and Tin Workers, *Journal of Proceedings*, 1902, pp. 6294–6296.

[21] *New York Tribune*, June 30, 1901.

[22] Amalgamated Association of Iron, Steel and Tin Workers, *Journal of Proceedings*, 1902, pp. 6297–6299.

to gain anything under these terms.[23] The conference having produced no results, and the seven days of respite granted to the American Tin Plate Company having expired, the strike became effective against the mills of the three Companies. The call was answered by 16,000 employees of the Sheet Steel, 22,000 of the Tin Plate, and 8000 of the Steel Hoop—a total of 46,000.[24]

The union endeavored to widen the strike by organizing the tube workers at McKeesport.[25] During the latter part of July, the National Tube Company sought to counteract it by urging its key men to enter into individual contracts for one year.[26]

After the strike had gone on for two weeks, Colonel George Harvey, editor of *Harper's Weekly*, intervened. Through his efforts a meeting took place on July 27 between the strike leaders and J. P. Morgan, Judge Elbert Gary, and Charles Schwab acting for the United States Steel Corporation. Evidently the "bosses" of the subsidiary companies felt that they had to take a hand. Morgan and his associates proposed the following settlement: the American Tin Plate Company would sign for all plants except Monessen; the American Steel Hoop Company for all union mills of last year; the American Sheet Steel for all mills except the Old Meadow and Saltsburg mills. This was a concession, but the union officers, mindful of the future menace from permitting the part union and part non-union arrangement, refused to accept these conditions. They agreed, however, to submit the terms to the Executive Board. The Morgan terms were rejected, and as a counter proposal the union demanded that the agreement permit the freedom to organize the non-union mills. This would have headed off the possibility of undermining the union through shifting work from union to non-union mills. As a further safeguard against this danger, the union demanded that the union minimum scale of wages be paid in all mills, to remove the temptation to starve the union mills in order to lower costs.[27] The Executive Board wished to continue negotiations, but the United States Steel Corporation had nothing further to offer.[28]

This cold refusal convinced the union leaders that a tactical

[23] *Ibid.*, pp. 6299–6300.
[24] *New York Tribune*, August 6, 1901.
[25] *Ibid.*, July 22, 1901.
[26] *Ibid.*, July 27, 1901.
[27] *Ibid.*, July 27, August 4, 1901; Amalgamated Association of Iron, Steel and Tin Workers, *Journal of Proceedings*, 1902, pp. 6303–6304.
[28] *New York Tribune*, July 31, 1901.

retreat was necessary. They therefore modified their demand concerning unionization. The division between union and non-union mills would be settled at once, and the non-union mills would be let alone during the term of the contract. The test of union and non-union would be the response in the present strike. The mills at present not on strike would remain non-union. But the United States Steel Corporation refused to bargain.[29]

Now the leaders of the Amalgamated clearly saw that they were up against a stone wall. President Shaffer appealed to Gompers to call a meeting of the officers of the international unions to mobilize organized labor for aid to the Amalgamated. Gompers refused.[30] Thrown upon its own resources, the union issued, on August 6, an order for a general strike in all mills of the United States Steel Corporation, effective August 10.[31]

On August 8 Gompers and Morrison arrived in Pittsburgh. Gompers was urged by President Shaffer to make the steel strike "the central fight for unionism." In answer, Gompers offered the full moral and financial support of the Federation.[32]

On August 10, the general strike against the United States Steel Corporation began. The New Castle and Mingo Junction plants of the National Steel Company and the Frankstown and Republic Sheet Mills of the National Tube Company joined in the strike.[33] The mills of the Illinois Steel Company at South Chicago, Joliet, and Milwaukee failed to join at once. The men hesitated to break their contractual obligations. M. F. Tighe, Assistant Secretary of the Amalgamated Association, succeeded in overcoming the scruples of the men at Joliet and Milwaukee, but South Chicago held back.[34] It was estimated that the second strike call was answered by 16,000 workers, bringing the total of the strikers up to 62,000.[35]

The Amalgamated Association issued a plea for financial aid to labor and sympathizers. President Shaffer also expressed willingness to arbitrate the differences at issue.[36] But the strike was

[29] *Ibid.*, August 4, 1901.
[30] *American Federationist*, October 1901, p. 449.
[31] *New York Tribune*, August 7, 1901.
[32] *Ibid.*, August 10, 1901.
[33] Amalgamated Association of Iron, Steel and Tin Workers, *Journal of Proceedings*, 1902, pp. 6305–6308.
[34] *Chicago Record-Herald*, August 15, 18, 1901.
[35] *Daily People*, August 15, 1901; *New York Tribune*, August 13, 1901.
[36] *New York Tribune*, August 13, 1901.

evidently breaking. In the middle of August, several plants were reopened and the prospects of reopening of additional plants were good.[37] Strikebreakers were now arriving in Pittsburgh in large numbers. The failure of the valiant efforts of the union to force a suspension of the Carnegie plant at Duquesne did not add to the morale of the strikers. Steady gains by the Companies were continued throughout the month of August.[38]

During the latter part of the month labor officials and leaders in the National Civic Federation took a hand. The Amalgamated was now willing to accept the *status quo ante* without reservation.[39] John Mitchell was alleged to have promised that the miners would strike in sympathy if this offer was rejected. This was later denied by Mitchell and Gompers.

The offer was refused by the United States Steel Corporation and a counter offer far less favorable was made: all mills which were union last year would be signed, except Old Meadow, Saltsburg, Hyde Park, Crescent, Irondale, Chester, Cambridge, Starr, and Monessen; no discrimination would be shown against men who had joined the union. Gompers and Mitchell urged the immediate acceptance of these conditions. Shaffer refused, and called the Executive Board. In the meantime the strike was cracking, mills being reopened under non-union conditions. The Amalgamated was given 24 hours to accept, but at the urgent request of Gompers, the United States Steel agreed to extend it 24 hours longer. The Executive Board of the Amalgamated rejected the conditions.[40]

The strike continued into September but on a diminishing scale. On September 6, Shaffer was dispatched to New York to seek a conference with J. P. Morgan or Charles Schwab. But with the strike evidently on the wane, there was no further call for the United States Steel Corporation to go over the heads of the officers of its subsidiaries. Neither Morgan nor Schwab would see Shaffer. Finally an agreement of a sort was reached with the three subsidiaries. The American Tin Plate Company reserved the "right to discharge any employee who shall by interference, abuse or constraint, prevent another from peaceably following his vocation

[37] *Ibid.*, August 20, 1901.
[38] *Daily People*, August 23, 1901.
[39] Amalgamated Association of Iron, Steel and Tin Workers, *Journal of Proceedings*, 1902, p. 6316.
[40] *American Federationist*, October 1901, pp. 421–423.

without reference to connection with labor organization. . . . Non-union mills shall be represented as such, no attempts made to organize, nor charters granted; old charters retained by men if they desire." [41] The scale was signed for 20 mills, and it was agreed that no discrimination should be shown against union men. The contract was for three years, and it was terminable by either party upon 90 days' notice. The American Steel Hoop and American Sheet Steel signed the scale for all plants which were union the previous year, except the Hyde Park.[42]

The settlement was truly a Carthaginean peace. The Companies agreed to pay union wages, but this was never in question. The union suffered a loss of 14 mills. The sympathetic strike was surrendered. Moreover, the union agreed neither to seek to extend its influence nor even to welcome workers joining on their own initiative. The right of discharge for union activities was given to the Companies, and union men had to agree to work alongside of non-union men.[43]

The disastrous strike had for its sequel an exchange of charges between Shaffer and the leaders of the American Federation of Labor. Gompers and Mitchell were charged with failure to support the striking steel workers. Shaffer contended that Mitchell had volunteered his services, and that the Executive Board had merely agreed that he should present the union's statement to the United States Steel Corporation instead of negotiating on his own, and that he had promised active support to the steel workers in case of refusal.[44] Gompers emphatically denied Shaffer's charge of lukewarmness, and offered to go before a court of honor composed of leading labor men and resign his office if found guilty. The same offer was made by Mitchell.[45] Moreover, Mitchell denied that his promise had even gone beyond that of moral support.[46]

Whatever basis of fact in the charges against Gompers and Mitchell, it remains true that the importance of this struggle was vastly underestimated by the leaders of the American Federation

[41] Amalgamated Association of Iron, Steel and Tin Workers, *Journal of Proceedings*, 1902, pp. 6319–6321.

[42] *New York Tribune*, September 15, 1901.

[43] *Cleveland Citizen*, September 21, 1901; *New York Tribune*, September 15, 1901; *Report on Conditions of Employment in the Iron and Steel Industry*, Vol. III, p. 128.

[44] Amalgamated Association of Iron, Steel and Tin Workers, *Journal of Proceedings*, 1902, pp. 6317–6318.

[45] *American Federationist*, October 1901, p. 425.

[46] *Ibid.*, p. 430.

of Labor. The second strike call, involving a violation of contract, made them uneasy and weakened their resolution to give the Amalgamated strong support. Herein may be seen the influence of the National Civic Federation.[47] These labor leaders, prizing union recognition by the leaders of finance and business as their greatest possible achievement, were anxious for a speedy ending of a situation that put labor in an unfavorable light on the all-important issue of honoring its contractual obligations. Gompers was even impressed by J. P. Morgan's avowal of friendship for organized labor.[48] Ten years later, the investigation of the Stanley Congressional Committee showed the true value of that "friendship," when it published the text of a resolution, already referred to, adopted by the Board of Directors of the United States Steel Corporation in one of its sessions early in 1901 and prior to the strike. It read: "We are unalterably opposed to any extension of union labor and advise subsidiaries to take firm positions when these questions come up and say that they are not going to recognize it, that is, any extension of unions in mills where they do not now exist." [49] This was the attitude of the United States Steel Corporation towards organized labor at the time of its formation. As a matter of temporary strategy the Corporation was willing to permit unionism an existence of a sort, provided it could establish itself firmly and securely. In the light of this revelation, the position of the Amalgamated in demanding complete unionization was justified. It is true that the union was not equipped, mainly due to its past narrow policies, to deal with the huge financial colossus it was challenging. But in the actual situation its challenge can be defended on the ground that no other alternative was possible. Nineteen Hundred and One was the most propitious time for such a challenge. The United States Steel Corporation was uncertain about public sentiment, and the House of Morgan was anxious to dispose of its securities. The result was a reluctance to force the issue at the time. It is not at all improbable had organized labor as a whole actively ranged itself beside the steel workers, that victory would not have crowned the effort. It would have been a great risk to organized labor, but in the light of subsequent events that risk would have been worth

[47] *Ibid.*, October 1901, p. 427.
[48] *Ibid.*, October 1901, p. 428.
[49] *Report on Investigation of U. S. Steel Corporation*, p. 128.

taking. The success of the United States Steel Corporation early in its career against organized labor created an anti-union pattern of conduct amongst the large industrial interests. Unionism began to occupy the position of a troublesome intruder. This pattern spread from the huge steel industry to most of the other heavy industries which were then getting into their stride. These industries were the customers and admirers of the United States Steel Corporation, whose price policy as well as labor policy they sought to copy. If unionism in America has never been taken as a matter of course in the big industries, in contrast with England and the industrial nations of the Continent, not the least of the causes was the anti-union attitude set by the United States Steel Corporation. The defeat of 1901 gave the United States Steel Corporation the confidence that it could expel the union from its properties whenever it chose, and stimulated policies and devices that would cut the last ground from under unionism in steel as well as in steel's ever growing "sphere of influence."

CHAPTER X

IN THE FOOTSTEPS OF BIG BUSINESS

The proving ground of the new method of industrial government based on a joint agreement between associated employers and organized labor was the foundry and machinery industries. These industries constituted the most significant sector of the expanding American industrial system. The factor of expansion tended to aggravate the perennial conflict between employer and union over union rules designed for job control, and also tended to make less valuable, from the employers' standpoint, the service of stabilization of competition which unionism renders. However, the conflict between expansionist capitalism and stabilizing unionism was not at once obvious to the contending sides. Carried away by the benevolent propaganda for orderly industrial government based on union recognition that emanated from such sources as the National Civic Federation, employers and unions in these industries approached with hope this solution of their problem, only to discover that good intentions assisted by vagueness, intended or unintended, in formulating the issues at stake, are powerless in actual life.

The American Foundrymen's Association came into existence in 1896, through a union of local foundrymen's associations whose members were engaged in manufacturing of machinery parts and general jobbing. The new organization became chiefly interested in labor relations, and in 1898 the American Foundrymen's Association decided to create an organization exclusively devoted to the handling of labor problems. The National Founders' Association was organized on lines similar to the Stove Founders' National Defense Association, which had been very successful in its dealings with organized labor.[1] The country was divided into eight districts and committees selected to govern them. The chairmen and vice-chairmen of the districts formed the Association's Administrative Council, which determined the Association's attitude in labor disputes and levied assessments. A system of settling

[1] Commons and Associates, *op. cit.*, Vol. II, p. 480.

labor disputes was devised. A member of the Association could appeal to the District Committee which held hearings and rendered a decision. The decision could be appealed to the Administrative Council whose decision was final. If the decision was unacceptable to labor and a strike followed, the member of the Association might demand that other members supply him with molders, up to 70 per cent of the maximum employed in the preceding quarter; or he might ration out his work amongst other members of the Association in the district; or he might demand compensation for loss up to $2.00 per molder per day on 70 per cent of the maximum working force employed.[2] The Association also allowed financial aid for resistance to boycotts and protection of property during strikes.[3]

But even though the National Founders' Association was prepared for war, the International Molders' Union, guided by experience in the stove industry, saw in these very war-like preparations an opportunity for the extension of the agreement system into the machinery and job foundry industry.

The molders were not mistaken. At its convention in 1899, the National Founders' Association accepted the invitation of the International Molders' Union for a conference. The outcome was the New York Agreement. The agreement provided for settlement of disputes by direct dealing between the parties and for a committee of arbitration made up of the presidents of both national organizations and two additional representatives from each. The decision of this committee was final, and no cessation of work at the instance of either party was permitted.[4]

The agreement created the machinery, but elaborated no principles for the settling of disputes. It was silent on the issues of the minimum wage, regulation of apprenticeship and use of machinery, and the subsequent conferences failed to devise any guiding principles. Soon afterwards strikes for wage increases were directed against members of the Association. The employees were ordered back to work, but neither the local nor the national arbitration groups could agree. The question of minimum wage was finally referred to a conference held in Cleveland on July 5–6, 1899. The

[2] Bauder, R., *Industrial Relations in the Machinery and Jobbing Branch of the Foundry Industry*, an unpublished manuscript in library of the University of Wisconsin, pp. 6–7.

[3] *Ibid.*, p. 9.

[4] *Iron Molders' Journal*, April 1899, pp. 157–159.

union demanded recognition of the minimum wage principle, but the employers asked for wage differentials based upon a classification of molders.[5] No agreement was reached, and at a subsequent conference, in November 1899, the employers were willing to accept minimum wage rates, provided they were given the right to hire less skilled molders at lower rates. The acceptance of the employers' proposal would have defeated the purposes of the minimum wage, which was to protect the molder against the encroachments of the molding machine operated by a semi-skilled worker, and it was rejected by the union.[6]

Another joint conference was held in May 1900, and demands for increases in the rates of pay were presented. The conference failed to agree, and it adjourned until June 14. The meeting took place at Detroit, and the representatives of the National Founders' Association proposed that the employer be granted the right to hire and discharge, fix wage rates, hours of employment, rules of apprenticeship, and all other questions involving shop rules. The employers literally demanded the elimination of the union from any control of the job.[7] The union naturally rejected the proposal.

The meeting closed with no results, and a trial of strength was imminent. The union chose Cleveland as the arena of the struggle. A demand for a wage increase of 25 cents a day was presented.[8] The employers accepted the challenge. Thereupon a strike involving 14 foundries and 600 molders was called on July 1.[9]

The Association came to the defense of its members, strike-breakers were supplied, and some of the work was transferred to other shops.[10] The Cleveland strike was settled on February 7, 1901, after a seven months' struggle. The workers gained slight increases and the discharge of non-union men. Also the settlement reaffirmed both the employers' and workers' faith in conciliation. The important question of shop rules was, however, left undecided.[11]

The crucial question for the employers was the demand of the union to regulate apprenticeship and the use of machinery. The union, however, considered the regulation of these questions essential to any control over the job. Both sides were pitted against

[5] *Ibid.*, July 1899, pp. 348–350.
[6] *Ibid.*, December 1899, pp. 631–633.
[7] *Ibid.*, July 1900, p. 385.
[8] Bauder, R., *op. cit.*, p. 23.
[9] *Iron Molders' Journal*, September 1900, pp. 524–529.
[10] Bauder, R., *op. cit.*, p. 25.
[11] *Iron Molders' Journal*, March 1901, pp. 129–136.

each other on a matter of "principle." The convention of the National Founders' Association in 1902 pledged support to any member using a molding machine against the opposition of the union.[12]

The union further asked, in 1902, for the introduction of the nine-hour day. The foundrymen were willing to bargain, if the union would make concessions on apprenticeship and the use of machinery. The union, standing by its "principles," demanded that the hours question be decided on its merits, and no agreement was reached.[13] Thus a hopeless deadlock ensued.

Many members of the union became convinced that the New York arbitration agreement was worthless, and demanded its abrogation. The move for abrogation was defeated in the convention of 1902, at the insistence of the national officers, who had not yet lost hope.[14]

In February 1904, an open break between the employers and workers finally took place. Four heater shops in Utica, New York, announced a 20 per cent reduction in wages. The union demanded that the question be submitted to a conference, and, meeting with an unfavorable response, called a strike.[15]

An effort to adjust the differences was made during April, but the National Founders' Association issued a "standard agreement" which it urged its locals to make the basis of any arrangement with its workers. The agreement embodied the views of the founders on apprenticeship and the use of machinery.[16]

Another and last conference was held in October 1904. The Founders' Administrative Council, like the national officials of the union, were loath to break up the agreement, and made the conciliatory proposal that no changes in wage rates or shop conditions should be made without prior consideration at a joint conference. This satisfied the union, but the Founders' convention in November 1904 repudiated the policy of its officers and brought to an end all relations with the union.[17]

The National Founders' Association transformed its policy of peaceful negotiation into one of aggressive attack. The problem arises, why did the organization change its tactics, and why did a movement designed to foster peace end by declaring war. It is very likely that many employers wanted to deal with the union,

[12] *Ibid.*, December 1902, p. 1036.
[13] *Foundry*, August 1902, p. 228.
[14] *Ibid.*, September 1902, p. 731.
[15] *Ibid.*, June 1904, p. 397.
[16] *Ibid.*, July 1904, pp. 501–506.
[17] *Ibid.*, December 1904, pp. 917–918.

without any clear notion of the significance of such a relationship. Many of them probably assumed that the union would simplify labor relations, without recognizing in the least that a union's chief purpose is to protect the workers' job interest and that carries a substantial encroachment on the employer's freedom of managing his business. Indeed, there is discernible in the employers' attitude during the negotiations an element of surprise that these issues should be of such vital concern to the union. The leaders of the union, cherishing the recognition by the organized employers, sought to avoid an open break. They were patient, experienced negotiators who trusted that, given time, their policy of quiet but persistent aggressiveness, coupled with the opportunity to wear down employer prejudice through contact and conciliatory negotiation, would carry them to success.

The confidence of the union leaders in the ultimate success of such a policy was based on their experience with the stove founders, who after years of belligerency turned to willing co-operation with the union. They failed, however, to reckon with a most basic difference in the two branches of the foundry industry, to say nothing of the varied personal element on the employer side. The stove industry's agreement came when expansion had given way to stabilization, which the union, through its nation-wide control over labor costs, could materially assist in maintaining. The machinery and job foundry industry, on the contrary, experienced in this period of rapid industrialization a gigantic expansion. Employers who might accept with complacency union interference slowing down technological change in a "mature" industry, or even feel grateful because it tempered their own competition, could scarcely be expected to adopt a similar attitude when the union, through its insistence on negotiation and a *quid pro quo* prior to change, appeared as blocking the road to prosperity and riches. Moreover, in the machinery and job foundry industry, operating on special orders, the union's insistence on standardization was hardly useful to the employers.[18]

Industrial relations in the machinery industry [19] duplicated the

[18] This section is largely based on *Industrial Relations in the Machinery and Jobbing Branch in the Foundry Industry* by Russell Bauder.

[19] The authors are indebted to Professor Harold M. Groves for the permission to use the material in his unpublished doctor's dissertation, *The Machinist in Industry*. David Kaplan assisted in the preparation of this section as well as in the one on the founders.

course of events in the machinery and job foundry industry, only with greater rapidity.

Following the elimination of secrecy and ritualism in 1897, the membership of the International Association of Machinists began to increase rapidly. It rose between 1898 and 1900 from fifteen to sixty thousand.[20] The lusty growth of the machinists and the aggressive spirit of its young president, James O'Connell, led to its selection by the American Federation of Labor to renew the shorter hour campaign. In January 1900, the Machinists demanded the nine-hour day in Chicago, Cleveland, Columbus, Detroit, and Paterson, New Jersey.[21] The demands were rejected. The unified movement for shorter hours awakened the employers to the need of a national organization. The National Metal Trades Association had been organized in 1899 to combat a strike of pattern makers in New York City,[22] but remained a mere regional organization.

With the nation-wide shorter hour movement, the National Metal Trades Association became a truly national body. It was able to organize branches or absorb the local metal trade associations in the metal machinery centers, and assume the burden of settling the nine-hour dispute.[23]

After a preliminary settlement providing for resumption of work and conciliation proceedings, the National Metal Trades Association and the International Association of Machinists met in New York City, and the Murray Hill Agreement was devised. The agreement defined a machinist, allowed time and a quarter for overtime, regulated apprenticeship, and forbade discrimination against union members. Restrictions upon management or production were to be eliminated, and the 57-hour week was to be established in six months, and the 54-hour week in one year.[24]

The nine-hour day was to go into effect on May 20, 1901. The employers were willing to reduce the hours of labor, but refused to increase wages so as to enable the machinist to earn as much in nine hours as he formerly had in ten. President James O'Connell, of the International Association of Machinists, sought the inter-

[20] *Report of Industrial Commission*, Vol. VIII, p. cxiii.
[21] *Ibid.*, Vol. VIII, p. cxv.
[22] Bonnett, C. E., *Employers' Associations in the United States*, Macmillan, New York, 1922, p. 103.
[23] *Report of Industrial Commission*, Vol. VIII, pp. 499–501.
[24] *Machinists' Monthly Journal*, June 1900, pp. 311–315.

vention of the National Metal Trades Association, but the employers' organization refused to intervene and suggested that the question be settled through local negotiations. In the meantime the National Metal Trades Association advised its members to make no further concessions, and to be prepared for a strike on May 20.[25]

The employers were evidently seeking to precipitate an open break. The union accepted the challenge and ordered a strike. Fifty-eight thousand machinists of New York, Buffalo, Philadelphia, Pittsburgh, Boston, Baltimore, Detroit, Cincinnati, Cleveland, Chicago, Milwaukee, and St. Louis responded to the call.[26] The union managed to gain concessions in a number of shops and was defeated in others.[27] The National Metal Trades Association charged the machinists' organization with breaking faith and declared the agreement abrogated. A new set of principles was formulated. The employer was to deal with his own men, and tolerate no interference by outsiders.

This shortlived agreement was the prelude to a state of war between the National Metal Trades and the machinists' union, which is continuing to date. It appears that the negotiators of the Murray Hill Agreement, especially the employers, either were ignorant of the nature of the issues arising between a union and employers or, for reasons of their own, chose to ignore them.

[25] Groves, H. M., *op. cit.*, p. 135.
[26] *Chicago Record-Herald*, May 20, 1901.
[27] Groves, H. M., *op. cit.*, pp. 133–137.

CHAPTER XI

SOLIDARITY AND ITS PRICE

The upswing of organized labor in this period brought a revival of unionism in the packing houses, from where it had been banished after the abortive 1886 strike.[1] After the defeat of 1886 the workers re-employed were required to sign a contract in which they agreed not to strike or quit without two weeks' notice. The company withheld two weeks' pay which was to be forfeited in the event the contract was violated.[2] Advocacy of unionism meant immediate discharge, and after the packers' combine became effective, in 1890, the blacklist was added. In 1894 a rebellion took place, but the unorganized strike ended in failure.[3]

In 1896 President Gompers suggested to the butcher locals, directly affiliated with the American Federation of Labor, the desirability of organizing an international union. A charter to the Amalgamated Meat Cutters and Butcher Workmen of North America was issued on January 27, 1897, and during the first year 28 new locals were chartered.[4]

The early efforts of the organization were directed towards organizing the smaller towns, but in the latter part of 1900 the union felt strong enough to invade Chicago. At first its organization activities were conducted in secret, but in 1901 the union came out in the open.[5] The union's progress in Chicago was quite rapid, and by August 1901, there were 20 different locals organized, each representing a particular occupation, such as sheep butchers, beef butchers, sausage makers, etc. These were brought together in the Chicago Packing Trades Council.[6] The several craft locals had agreements with the packers covering wages.[7]

[1] Commons and Associates, *op. cit.*, Vol. II, p. 418.

[2] MacMillin, Frederick Nelson, *The Balance of Power in the Meat Packing Industry*, an unpublished manuscript in the University of Wisconsin Library, p. 8.

[3] Commons, John R., "Labor Conditions in Meat Packing and the Recent Strike," *Quarterly Journal of Economics*, November 1904, p. 1.

[4] Amalgamated Meat Cutters and Butcher Workmen of North America, *Proceedings of the Second General Convention*, 1899, pp. 14–18.

[5] Commons, *op. cit.*, p. 2.

[6] *Constitution and By-laws of Packing Trades Council*, 1901, pp. 4–5.

[7] Commons, *op. cit.*, p. 1.

The union was endeavoring to make headway in an industry which more closely resembled anthracite coal than the small-enterprise type of industry such as bituminous coal, printing, and teaming. The packing industry was virtually controlled by the "Big Six," namely the Armour, Swift, Morris, National Packing, Swartzschild and Sulzberger, and Cudahy packing companies.[8] The six companies had an aggregate authorized capitalization of $88,000,000, and did a gross yearly business of $700,000,000. The proportion of fresh beef sold by the "Big Six" ranged between 15 and 20 per cent for the Mountain and Pacific states to between 75 and 80 per cent for New England.[9]

In the eighties, as in coal mining, the labor force in the packing houses became predominately non-English-speaking. At the time of the Knights of Labor strike in 1886 the workers were mainly American, Irish, and German. After that unsuccessful struggle, a large number of Bohemians entered the industry. They were followed by infiltrations of Slavs and Negroes, who, at the outbreak of the strike of 1904, held most of the unskilled jobs. But in the struggle of 1904 all nationalities presented a common front.[10]

The organization at large continued to grow, and at its convention in 1904 a membership of 56,000 was reported.[11] That convention decided for a uniform wage scale and a combined agreement for all packing house workers, regardless of skill, employed in the plants of the so-called "Beef Trust." The wage demanded was 18½ cents an hour for the unskilled, the prevailing Chicago wage to apply in other centers. The scale went to the packers, and two weeks later a conference was held. The packers were willing enough to renew the agreement for the skilled, but were opposed to including the unskilled. The union persisted in tying the skilled with the unskilled, and at a subsequent conference the packers made a verbal offer of 16½ cents for the unskilled, or two cents below the wage demanded. Although the skilled workers were simultaneously offered an agreement with favorable terms, the union feared that inadequate protection of the unskilled would

[8] *Report of the Commissioner of Corporations on the Beef Industry*, Washington, 1905, p. xix.

[9] *Ibid.*, pp. 26, 74.

[10] Commons, John R., *op. cit.*, p. 2.

[11] Amalgamated Meat Cutters and Butcher Workmen of North America, *Proceedings*, 1906, p. 37.

eventually expose the skilled to lower standards. The packers' terms were rejected and a strike vote ordered.[12]

The membership voted overwhelmingly to reject the offer of the packers and to strike for the following demands: a uniform wage scale for all packing plants in the West, and a minimum wage for unskilled workers of 18½ cents an hour; contracts covering every department in the packing houses to begin and to expire simultaneously in June each year; and the recognition of the principle of the ten-hour day.[13]

The packers made a last offer of a minimum rate of 17½ cents an hour for the unskilled, an increase of one cent over their last offer. They would broaden the agreement to include the unskilled but only in the killing, cutting, beef loading, and casing departments. These conditions were also rejected. The union would not recede from its determination to lend its protection to the unskilled.[14]

The packers, on their part, sought to head off labor solidarity and to forestall the consolidation of the union's position and control. Hence their insistence on partial union recognition. Negotiations having broken down, a strike order was issued for July 12.

Fifty thousand packing house workers in nine cities answered the strike order.[15]

Negotiations continued. The union demanded the reinstatement of all the strikers within three days, and insisted that the prevailing Chicago rate of 18½ cents be applied throughout the industry. The employers were willing to arbitrate wages and working conditions and any additional grievances presented by either side. The packers would re-employ the strikers individually in the order of application for work. The union feared that individual applications would mean the blacklisting of some of the strikers. Despite the efforts of President Gompers, both sides failed to agree.[16]

The packing houses in Chicago, Omaha, and St. Paul began to hire non-union men to replace the strikers. In Chicago, a *mêlee* between strikers and non-union men took place in which eight

[12] Poole, Ernest, "The Meat Strike," *Independent*, July 28, 1904, p. 179; Amalgamated Meat Cutters and Butcher Workmen of North America, *Proceedings*, 1906, pp. 7–8.

[13] *Chicago Record-Herald*, July 12, 1904.

[14] *Ibid.*, July 12, 1904.

[15] *Ibid.*, July 13, 15, 1904. In Chicago 20,000, in Kansas City 10,000, in South Omaha 5000, in East St. Louis 5000, in St. Joseph 5000, in Forth Worth 1500, in New York 1500, in St. Paul 800, and in Sioux City 800—a total of 49,600.

[16] *Ibid.*, July 15, 1904; Amalgamated Meat Cutters and Butcher Workmen of North America, *Proceedings*, 1906, p. 8.

were injured and ten arrested.[17] President Donnelly, of the union, wrote to J. Ogden Armour suggesting another meeting. On July 15, the Allied Trades Central Council, representing the 30 auxiliary mechanical trades employed in the stockyards and packing houses, determined to mediate between the strikers and the packers. Its representatives met with the contending parties and succeeded in formulating a peace settlement. Wages and working conditions were to be arbitrated and the strikers re-employed as quickly as possible. Failure to re-employ a striker within 45 days could be likewise submitted to arbitration.[18]

The strike was called off but the agreement never became effective. The union charged that the employers practiced discrimination, that many of the returned men were insulted by the foremen, and that some were even refused re-employment outright. A second strike was immediately called. The auxiliary mechanical trades, heretofore the mediators in the strike, took sides with the striking packing house workers.[19] They threatened that unless re-employment of all the strikers within ten days took place, they would join the strike. The ultimatum was unheeded, and on July 25, the auxiliary trades walked out. Seven thousand struck at Chicago, and 5000 at other centers.[20]

The strikers intensified their efforts to prevent the employment of non-union men to replace them. In Chicago 1400 strikebreakers, mainly Negroes, were brought in from Southern cities, and distributed amongst the different packing houses. Violence developed in St. Joseph where a Negro strikebreaker fired into a crowd of pickets wounding five. The manager of the packing plant in St. Joseph charged the police with being sympathetic to the strikers. At the same time the Sioux City packers called for militia, and in South Omaha the police admitted their powerlessness, and called upon the sheriff to intervene.[21]

A group of 52 imported guards from Colorado were brought to South Omaha. Apprized of their arrival, the sheriff, at the head of a force of deputies, ordered their arrest and ordered them to leave town.[22]

[17] *Chicago Record-Herald*, July 14–15, 1904; *St. Paul Pioneer Press*, July 14, 1904.
[18] *Ibid.*, July 21, 1904.
[19] *Ibid.*, July 23, 1904; *St. Paul Pioneer Press*, July 24, 1904.
[20] *Ibid.*, July 24–26, 1904.
[21] *Ibid.*, July 25, 1904; *St. Paul Pioneer Press*, July 27, 1904.
[22] *St. Paul Pioneer Press*, July 29, 1904.

Despite the energy of the strike pickets the packing houses were gradually increasing their labor force. Beginning with the third week of the strike violence became widespread. In Kansas City a number of clashes between pickets and strikebreakers took place. A picket was shot and five were indicted for assault. In St. Joseph, Missouri, 150 Negro strikebreakers were imported, but half of them were persuaded to turn back by pickets.[23] The day following, a battle between 300 union men and 100 strikebreakers and police took place in which five were seriously hurt. In Forth Worth, Texas, citizens appealed to the governor to send militia to protect the packing plants.[24]

During August a number of serious riots took place in Chicago. About 5000 strikers and their friends engaged a large squad of police. The police fired into the crowd and made free use of their clubs. Thereupon the police forbade picketing. This order was completely ignored; and two days later, the pickets and police engaged in another serious encounter in which 29 were arrested. The unionized street car conductors and motormen showed their sympathy by refusing to stop for squads of police who were seeking rapid transportation to the scene of the riot.[25] The riots in Chicago brought forth a "shoot to kill" order from the police inspector in charge. A protest from the Chicago Federation of Labor convinced the inspector that the newspaper report was based on a misquotation.[26]

The pickets were unable to prevent the working forces in the plants from increasing. The Chicago Ice Wagon Drivers' Union declared a boycott against retailers who purchased their supplies from the "Big Packers." On August 9, strikers seized a train carrying strikebreakers outside of Kansas City, drove them from the train, threw their baggage into the river, and set fire to the cars.[27] On August 18, Chicago had one of its most serious clashes in this strike. Strikebreakers trying to recapture steers escaped from the cars were beset by a large force of pickets. It required 120 policemen two hours to restore order.[28]

At the end of the first month, the retail butchers appealed to

[23] *Chicago Record-Herald*, July 30, 1904.
[24] *Ibid.*, July 31, August 1, 1904.
[25] *Ibid.*, August 1–4, 1904.
[26] *Ibid.*, August 5, 1904.
[27] *St. Paul Pioneer Press*, August 10, 1904.
[28] *Chicago Record-Herald*, August 19, 1904.

the packers to reopen negotiations with the strikers. The packers refused.[29] Mayor Harrison of Chicago then sought to bring the warring groups together. He also failed. The packers, considering the strike lost, were in no mood to negotiate.[30] During the latter part of August, another series of clashes took place in Chicago. On the 17th the strikers attacked a train carrying a large number of non-union men and a policeman was shot during the fighting. Three days later in a series of clashes a strikebreaker was killed and five were wounded. On August 23, two pickets were killed by shots fired by colored strikebreakers.[31]

At the end of August, the Chicago City Council intervened and elected a committee to settle the strike. The packers' reply was a demand for unconditional surrender of the strikers without parley or conference.[32] On August 29, the officers of the meatcutters' union and the Allied Trades Council made a direct appeal for peace, asking for a conference. The packers refused.[33] New life and hope was temporarily infused into the strike by the announcement of a sympathetic walkout by the Livestock Handlers' Union.[34]

The outlook at the beginning of September was very gloomy. The union treasury was empty, the payment of strike relief had ceased, and the workers were grumbling. The first break came in New York when the butchers on strike voted to return to work on September 4. This group later seceded from the Amalgamated and organized an independent union, the Brotherhood of Butcher Workmen.[35] The leaders justified their secession on the ground that the lack of discipline amongst the Western members had precipitated the second and disastrous walkout. This view was indorsed at the convention in 1906 of the Amalgamated Meat Cutters by Secretary Homer D. Call.[36]

The union officers now sought to find a way out for the strikers in the other cities. The packers finally agreed to take the men back as soon as needed. No guarantee against discrimination nor any time limit in rehiring was given, but the packers pledged that the conditions of the skilled would remain as before the strike.

[29] *Ibid.*, August 12, 1904.
[30] *Ibid.*, August 17, 1904.
[31] *Ibid.*, August 18, 21, 24, 1904.
[32] *Ibid.*, August 25, 28, 1904.
[33] *Ibid.*, August 30, 1904.
[34] *Ibid.*, August 31, 1904.
[35] *St. Paul Pioneer Press*, September 4, 6, 1904; *Independent*, September 15, 1904.
[36] Amalgamated Meat Cutters and Butcher Workmen of North America, *Proceedings*, 1906, p. 12.

The peace terms were submitted to the men, and were overwhelmingly rejected by the strikers in Chicago and Kansas City, causing their rejection by the union.[37]

The union officials considered a continuation of the struggle vain and hopeless. The treasury was empty, and the packing houses full of strikebreakers. The Executive Board assumed responsibility and authorized President Donnelly to end the strike. The auxiliary skilled trades were at first opposed to the decision, but they yielded to President Donnelly's plea that a continuation of the struggle would merely impose needless hardship and suffering upon thousands of loyal men and women. As a result the strike was officially ended on September 8.[38]

The strike was essentially an effort to benefit the unskilled. The skilled butcher workmen and the skilled mechanics of the auxiliary trades stood little to gain from this costly and protracted struggle. They loyally frustrated the attempt of the packers to induce them to abandon the more helpless group by appealing to their craft interests. Their part in this struggle against the "Beef Trust" belies the conventional view that American skilled trades are never willing to make sacrifices for the unskilled.

[37] *Chicago Record-Herald*, September 6, 7, 1904.
[38] *Ibid.*, September 9, 10, 1904.

CHAPTER XII

DEFEAT THROUGH INSUBORDINATION

The defeat of the packing house workers meant the end of unionism in the packing houses for over a decade, yet the struggle which turned on the protection of the unskilled and proceeded under full union discipline had its glorious side. Another contest, practically contemporaneous, which drew wide attention to itself, was an inglorious defeat for labor. It was the unauthorized, or, as we would now call it, the "outlaw," strike of subway employees against an employer who was in the front ranks of the supporters of the conciliatory policy of the National Civic Federation, August Belmont. Affecting as it did the outstanding public utility in the largest city of the country, it was a blow to the policy of Gompers and Mitchell, who never tired of insisting that unionism holds its contractual obligation sacred.

The first known organization of street railway employees was formed on the Third Avenue line, New York City, in 1861. It was benevolent in character, disapproving strikes. However, constant wage reductions made it wage conscious. But its life was short.[1]

The next attempt was made under Knights of Labor auspices in 1883. Local Assembly 2878 was organized on the Third Avenue line. The local prospered and a number of other local assemblies were formed in different sections of the city. A company spy who had gained admittance to the union reported the leaders who were discharged. That disrupted the organization.

In July 1884, District Assembly No. 75, a street railway men's organization, was chartered by the Knights of Labor. The blacklist retarded the organization, but in September it looked promising. Again mass discharge laid the organization low.[2]

Another attempt was made in 1885. But in the throbbing year 1886 the street railway men of New York at last came forth with an organization which was a going concern. The union presented a contract to the Third Avenue Railroad, which, after some delay,

[1] Mahon, William D., "History of Organization among the Street Railway Employees of America," *Motorman and Conductor*, July 1904, p. 6.
[2] *Ibid.*, p. 6.

the management accepted with modifications. The other railway companies of New York were forced into line by threats to strike.[3] Success in New York led to organization elsewhere. Hours were reduced from 18 and 16 to 12 and wages and conditions were improved. Unlike the skilled unions, the street railway men's organization did not thrive on success. It died of lack of interest.[4]

The American Federation of Labor in the latter eighties sponsored a number of street railway men's locals directly affiliated and responsible to the Federation. In 1892 President Gompers issued a call for a national convention at Indianapolis on September 2. Forty delegates came from organizations affiliated with the American Federation of Labor; from seven assemblies of the Knights of Labor; and from four independent groups.[5] The Amalgamated Association of Street Railway Employees was organized. Despite the initiative of Gompers, the non-affiliated locals succeeded in delaying for a year affiliation with the American Federation of Labor.[6] The progress of the Amalgamated was slow.

In New York the Amalgamated encountered the same obstacles as its predecessors.[7] It was not until 1902 that a real foothold was gained with the aid of the American Federation of Labor. By March 1903, more than 1300 employees of the elevated lines were in the union. A division charter was granted, officers elected, and demands presented to the company.[8] The Amalgamated succeeded in gaining from the Manhattan Elevated Company a contract covering all occupations except motormen.[9]

The motormen belonged to the brotherhoods of locomotive engineers and firemen, the result of an arrangement between the Company and those brotherhoods when the motive power was changed from steam to electricity.

During the summer of 1904, differences between the Interborough Rapid Transit Company, which had succeeded the Manhattan Elevated Company, and the three unions whose members were engaged in operating the elevated railways, developed. The Company was planning to begin operation of the New York subways, and announced that it would train new men to operate the

[3] *Ibid.*, p. 7.
[4] *Ibid.*, August 1904, p. 6.
[5] *Ibid.*, August 1904, p. 6; September 1904, p. 19.
[6] *Ibid.*, October 1904, p. 31; November 1904, p. 10.
[7] *Ibid.*, August 1906, p. 30.
[8] *Ibid.*, April 1903, p. 4.
[9] *Ibid.*, April 1905, p. 7.

system. The unions objected, and decided to act as a unit against the Company. They demanded that preference in employment on the subways be given to employees on the elevated; that seniority of service on the elevated be counted in making promotions on the subways; that the mc lical examination of applicants for work be made less severe; and that $3.50 be paid for a nine-hour day.[10] The Interborough was willing to abide by the contract on the elevated which it inherited. It, however, refused to extend these favorable terms to new fields.[11] The rejection of the unions' terms brought Grand Chief Stone of the Engineers, President Mahon of the Amalgamated, and Vice-Grand Master Wilson of the Firemen, to New York. The heads of the three organizations were anxious to avoid a conflict, but nevertheless they called for a strike vote of the men. The vote was overwhelmingly in support of the leaders. The Interborough prepared for a possible strike by enlisting the services of James Farley, at the time the chief recruiter of strikebreakers in America.[12]

The Company was ready to make concessions on seniority and preference for the employees of the elevated, but refused to yield on wages and hours. The National Civic Federation proposed arbitration. On September 6, August Belmont, president of the Interborough as well as president of the National Civic Federation, met the representatives of the unions and offered a wage settlement beginning with $3.00 for 10 hours for the first six months, to be increased to $3.25 at the end of the first six months, and to $3.50 after the first year. This was coupled with a demand for a three-year contract. The three organizations accepted and an agreement was signed on September 6.[13]

Several months later dissatisfaction arose over discharges of employees. A joint grievance committee comprising the local heads of the Engineers' and Firemen's brotherhoods and the Amalgamated, demanded their reinstatement. The committee issued a belligerent statement, but the difficulties were amicably settled.[14] On February 1, the joint committee again claimed that the Company was violating its agreement; that it had reduced the rest

[10] *National Civic Federation Monthly Review*, September 15, 1904, p. 2; *New York Tribune*, August 23, 1904.

[11] *New York Evening Post*, September 3, 1904.

[12] *Ibid.*, September 2, 5, 1904.

[13] *Motorman and Conductor*, October 1904, pp. 6–8; *National Civic Federation Monthly Review*, September 15, 1904, p. 3.

[14] *New York Tribune*, January 27, 1905.

periods; and that the run of 160 miles per day, demanded by the Company, was unreasonably large.[15]

The Company continued its conciliatory attitude and the schedule was adjusted. But this stimulated further demands. On March 5, these new demands were presented: the abolition of the physical examination and the substitution of a practical road test for motormen and other employees; a day's work for motormen and other trainmen to be nine hours or less and motormen's mileage not to exceed 100 miles; all road work, with or without passengers, to be done by qualified motormen; for non-motormen the nine-hour day was demanded, with time and a half for overtime; and a 10 per cent increase in pay for all employees, except motormen.[16]

The Company rejected the demands as a violation of the agreement. President Mahon, being informed of the events in New York, was first to arrive at the seat of the trouble. Realizing the folly of the move, he sought to dissuade the committee from delivering its ultimatum. He made some progress with the committee members from his own union, who promised to transmit his advice to the members of the joint committee from the other two organizations. The advice was unheeded and a strike on the elevated and subway lines was called on March 7. The Interborough properly charged the men on strike with violating the agreement, which did not expire until 1907.[17] The American Federation of Labor evinced a deep concern over the situation. Gompers and Mitchell arrived in the city and offered their aid. But the local joint committee was not to be diverted from its plan to bring the Company to its knees by sober advice of the national leaders. Mahon was joined by Grand Chief Stone of the engineers, who ordered the motormen connected with his organization back to work. Both Mahon and Stone pronounced the strike in violation not only of the agreement with the Interborough but of the constitutions of the unions as well, and publicly repudiated the strikers.[18]

The strike was complete the first day. Soon after, the Company

[15] *Ibid.*, February 2, 1905.
[16] *Ibid.*, March 7, 1905.
[17] *Motorman and Conductor*, April 1905, pp. 13–14; *New York Tribune*, March 7, 1905.
[18] Report of William D. Mahon, *Motorman and Conductor*, October 1905, pp. 16–18; *New York Tribune*, March 9, 1905.

managed to improve its service. Numerous strikebreakers began arriving from other cities. Mayor McClellan proposed arbitration, a proposal now eagerly accepted by the leaders of the strike. The Interborough was, however, unwilling to enter into any negotiations with violators of contracts. The strikers would be rehired as individuals, on presenting proof of not being guilty of violence.[19] The strike lasted four days, and on March 11, a stampede back to work began. Many of the strikers were re-employed. The union was, however, destroyed, the Company insisting on the open shop plan.[20] The charters of the rebellious locals were revoked by the respective internationals, but this failed to save the unions.[21]

The unauthorized strike delivered a fatal blow to unionism on the Interborough. The impulsiveness and unreasonableness of the local leaders wiped out the years of patient work of organization. It likewise delivered a blow to unionism, as it appeared to confirm the charges of the open shop propagandists that unionists are irresponsible and untrustworthy.

[19] *New York Tribune*, March 9, 1905.
[20] *Ibid.*, March 12, 1905.
[21] *Ibid.*, March 11, 1905.

CHAPTER XIII

THE EMPLOYERS' MASS OFFENSIVE

We have dealt so far with employer resistance to unionism on specific fronts. The anti-union policy of the United States Steel Corporation set a rigid pattern for the rapidly developing heavy industries of the country. The collapse of the agreements in the foundry and machinery industries added a vast contingent of small and medium-sized employers to the anti-union army. The victory of the packers shut the doors of another big industry to organized labor. The struggle in the building trades, both in New York and Chicago, as well as the teamsters' strike in the latter city, present instances of employers' mobilization on a wide front. This was most significant in the teamsters' case, since it developed into a mass attack of the employers of Chicago upon an aggressive union acting as a spearhead for the labor movement of the city. Yet in each and every case the issue was specific, and whatever "philosophical" admixture there was, in the statement of the position of the employers, was largely incidental. We now come to a mass attack upon unionism which partook of a crusade against unionism in general. It was fought with weapons more "philosophical" than tangible, and on the issue of the right of unionism to exist in the American social "set-up" rather than against the excessive demands of a specific union group.

One of the first attempts to form a general anti-union association was made in Dayton, Ohio, in 1900. Unionism had made rapid strides in Dayton, and in 1900 a number of strikes for higher wages and working conditions took place. Thirty-eight firms became charter members and came together to form a united front. On July 25, 1901, the attack upon unionism began. The Davis Machine Company and the Computing Scale Company closed down their plants, ostensibly for repairs, but the following notice to the employees revealed a different purpose:

> "This factory will resume operation on or about August 19 as an *open shop*. All employees desiring to return to their present position must make written application on enclosed

card and return same to superintendent in person not later than August 30.

"Those not willing to comply with the requirements will surrender their key at once."

The application card required the applicant to state whether he objected to working with non-union men.[1]

The attack on the machinists was but the opening gun of a more general campaign. Unions in a variety of trades were subject to the same open attack or to more covert pressure, and though they valiantly endeavored to hold their lines, the employers' association succeeded in undermining their position. A rough yardstick of the success of the mass attack in Dayton is given by the number of participants in successive Labor Day parades. In 1900 they were estimated at about 9500; in 1901 at 7500; in 1902 there were only 1242 in the parade; and in 1903, 1914 paraded.[2]

By 1902 the Dayton Employers' Association had succeeded in establishing the open shop virtually throughout the city. But the leaders were not content with a local victory. Propaganda and emissaries went forth to arouse the employers of the country to the need of defending the employer's right to operate his business in accord with "American principles," free of interference by the business agent.

Chicago was another center of the open shop movement. The Chicago Employers' Association, led by Frederick W. Job, was organized in 1902.[3] Citizens' Alliances and employers' associations in a number of localities followed in rapid order. Leaders in one locality fervently strove to carry by their example employers in other communities. They were class conscious employers' organizations even where they made an honest "philosophical" appeal for a "classless" America. This appeal, couched in traditional American terms, sought to counteract the "philosophical" and emotional appeal of organized labor. More tangible support to employers fighting for their rights against unions was also given. A telling example was Sedalia, Missouri. Sedalia had been an important labor center during the eighties, and the home of Martin Irons, the fiery leader in the Southwestern Railroad strike of 1887.[4]

[1] *American Federationist*, December 1901, pp. 529–530.

[2] Marshall, A. C., *Benefit of Employers' Associations*, leaflet, pp. 1–4.

[3] Marcosson, Isaac F., "The Fight for the Open Shop," *World's Work*, December 1905, pp. 6951–6959.

[4] Commons and Associates, *op. cit.*, Vol. II, pp. 382–384.

Sedalia had in that period a Law and Order League of small merchants and professional men serving as a model for St. Louis, De Soto, and Wyndote. The League died with industrial quiet. In 1900 organized labor revived in Sedalia and before long it was virtually in control. On August 19, 1901, the Sedalia Citizens' Alliance was organized, and soon comprised a large majority of the business and professional men and even non-union workers. The Sedalia unions could not resist a mobilized community and their influence was practically destroyed.[5]

But J. West Goodwin, the organizer and victor at Sedalia, had wider ambitions. By 1902, he had seen as the fruits of his propagandistic efforts militant anti-labor Citizens' Alliances in Kansas City and Joplin, Missouri, Springfield and Bloomington, Illinois, Pittsburgh, Kansas, Scranton, Pennsylvania, and Shelbyville and Columbus, Indiana. The Alliances were secret organizations, and exacted the following pledge from members:

> "I hereby make application for membership in the Citizens' Alliance and I affirm that I am not a member of any labor organization which resorts to boycotting, or any form of coercion or unlawful force, and fully agree to discountenance all strikes and schemes of persecution."[6]

Sedalia and Dayton personify the "philosophical" drive against unionism. In Chicago "philosophy" was likewise present, but the movement naturally assumed a greater variety of concrete manifestations. Under the militant leadership of Frederick W. Job, a campaign was begun to weld the different employers into trade associations, so that they might present a solid front in case of a strike. The Chicago Employers' Association announced that it stood for the open shop and law enforcement and opposed the sympathetic strike and limitation of output. It not only entered into controversies but actually took command. It led the employers in its affiliated bodies against the strike of 5000 laundry workers. It supplied them with strikebreakers and took care that the banks did not press them on their notes. The strike ended in a defeat for the union. A number of other strikes were defeated through the influence of the Association. The Association also sent spies into the unions and recruited non-union workers.[7]

[5] Goodwin, J. West, "Sedalia's Citizens' Alliance and Others," *American Industries*, August 1, 1903, pp. 13–14.

[6] *American Industries*, August 1, 1903, p. 14.

[7] Marcosson, I. F., *op. cit.*, pp. 4309–4312.

The local leaders of the open shop campaign were ever ready to lend the benefits of their active guidance to out-of-town employer groups. This type of co-operation was clearly shown in the fight upon organized labor in Beloit, Wisconsin. Through the efforts of two organizers of the American Federation of Labor, the union membership had risen from three organizations and 200 members in June 1901, to 21 unions and 2000 members two years later. Beloit became the banner union city of the Northwest.[8] The organization of labor in Beloit aroused a number of businessmen. Frederick W. Job was invited to the city in June 1903. He interested a small group in organizing the Beloit Citizens' Alliance for the purpose of combating organized labor.[9] Discrimination against union men began in the shops, followed by an energetic public campaign against unionism. Between June and September 1903, the Beloit Citizens' Alliance enlisted more than 1000 members. The active fight against organized labor began with a strike of machinists at the Berlin Machine Company, and after a 16 weeks' strike, the men returned to work under open shop conditions. Attacks followed against different unions, and by February 4, 1904, the teamsters, the most militant union in Beloit, surrendered its charter.[10] The débacle of unionism in Beloit is well brought out in the abrupt decline of union membership.[11]

Meanwhile the anti-labor attacks emanating from the Dayton Employers' Association and other local groups, were bearing fruit. During 1903, the Dayton Employers' Association received hundreds of letters from employers in every part of the United States seeking information on methods of combating organized labor.[12]

[8] Job, Frederick W., *A Tale of Two Cities*, pamphlet, pp. 5–6.
[9] *Milwaukee Sentinel*, August 31, September 1, 1903.
[10] Job, F. W., *op. cit.*, pp. 9–11.
[11] *Ibid.*, p. 13. The following table shows the membership of unions in Beloit:

	Spring of 1903	Winter of 1903–04
Federal Labor Union	400	0
Machinists	525	106
Clerks	84	0
Teamsters	99	6
Garment workers	90	0
Painters and decorators	46	0
Electrical workers	51	11
Shoe workers	46	0

[12] Employers' Association of Dayton, *Reports of Officers for 1902–1903*, pp. 26–34.

These organizations were not satisfied to eliminate or minimize the influence of unionism in their localities. What they sought was the effacement of the organized labor pattern from the consciousness of the average American citizen. That object could be achieved by placing organized labor on a moral defensive. Instead of labor being viewed as the victim of oppression, the propaganda of the employers sought to convince the public that labor was both the aggressor and the oppressor. It was the employer who suffered from tyranny and oppression. It was he who was victimized by a tyrannical and greedy business agent, who, profiting by the blind obedience of his misled followers, was interfering with the inalienable right of the employer to run his own business as he saw fit. This idealistic propaganda, appealing as it did to the traditional American individualism, was very influential in shifting public support from the worker to the employer.

But with all these local successes, the open shop movement still lacked national leadership and organization. This was supplied in 1903 by D. M. Parry, President of the National Association of Manufacturers. Before the convention of 1903, he gave emotional utterance to the feelings of many of the medium sized and smaller manufacturers. He bitterly assailed the tyranny of organized labor and urged the employers to make sacrifices in an effective fight against unionism. He cited the defeat of labor in Dayton and Fremont, Ohio; Bloomington, Illinois; and in other places as proof that the spread of unionism could be stopped. The convention responded by declaring against the recognition of unions.[13] This was a turning point in the history of the National Association of Manufacturers. Heretofore it had been uninterested in labor matters and centered on such issues as the tariff. Hereafter it assumed the leadership in the nation-wide resistance to unionism.

Parry's attack on unionism precipitated a coalescence of the regional open shop groups. In April 1903, a number of leading open shop propagandists came together to formulate plans.[14]

[13] National Association of Manufacturers, *Proceedings of Eighth Annual Convention*, 1903, pp. 52–62.

[14] The promoters of this effort were James Kirby, Jr., President of the Dayton Employers' Association; Marshall Cushing, secretary of the National Association of Manufacturers; A. C. Marshall, secretary of the Dayton Employers' Association; E. G. Hombrooke, secretary of the Employers' Association of Kansas City; Frederick W. Job, secretary of the Chicago Employers' Association; D. M. Parry, president of the National Association of Manufacturers; J. C. Craig, president of the Citizens' Alliance of Denver; Colonel J. W. Goodwin, president of the Citizens' Alliance of Sedalia, Missouri; J. F. Druckemiller, secretary of the Employers'

They issued a call for a conference of representatives of Employers' Associations and Citizens' Alliances.[15]

A convention was called for October 29, 1903, and 124 employers' organizations sent 250 delegates. Amidst open shop oratory the Citizens' Industrial Association was launched, and an executive committee was chosen, with David M. Parry, of the National Association of Manufacturers, chairman. The Executive Committee issued an appeal in which it proclaimed "that the present industrial conditions have become so deplorable by reason of the indefensible methods and claims of organized labor that the time has come when the employing interests and good citizenship of the country must take immediate and effective measures to reaffirm and enforce those fundamental principles of American government guaranteeing free competitive conditions." The statement attacked the closed shop as being contrary to the principles of American government and institutions. The Executive Committee urged the formation of local associations in each craft and the affiliation of local associations with the National Association. The members were urged to give preference to non-union goods, and to favor the employment of non-union men.[16]

The Citizens' Industrial Association began a vigorous moral campaign against labor in the press and in public meetings. Moreover, it fostered and encouraged the organization of employers' associations throughout the country. St. Louis, Missouri, under the leadership of J. W. Van Cleve, later the plaintiff in the famous Bucks' Stove and Range case, became a leading open shop center.[17] Battle Creek, Michigan, was another important center. Battle Creek was the home of C. W. Post, a wealthy and aggressive opponent of unionism, who published pages of paid denunciation against unionism in the daily press of the country.[18]

On the Pacific Coast, Herbert George, one of the most active of the anti-union propagandists, was busy organizing Citizens' Alliances in California. He began his activity in Los Angeles, and his organization spread to ten other cities. In April 1904, dele-

Association of Akron, Ohio; E. F. DuBrul, Commissioner of the National Metal Trades Association; A. D. Meeker, secretary of the Employers' Association of Marshalltown, Iowa; John M. Maxwell, of the National Association of Manufacturers; and P. O. Geier, of the National Metal Trades Association.

[15] *Bulletin No. 1 of the Citizens' Industrial Association of America*, p. 4.

[16] *Ibid.*, pp. 5–11, 17–18.

[17] *American Industries*, October 1, 1904, p. 5.

[18] Citizens' Alliance of Battle Creek, *First Annual Report*, 1905, pp. 1–4.

gates from eleven Citizens' Alliances organized the California Citizens' Alliance. The California organization began an aggressive and concentrated campaign against union-label goods. It urged its members and others to patronize those firms which were at odds with organized labor.[19]

The convention of the Citizens' Industrial Association, held in February 1904, showed a considerably larger number of organizations represented than at the initial conference. Two hundred forty-seven employers' organizations were represented by 262 delegates. Many of the organizations had been founded by the original open shop promoters, and their spread indicated that their propaganda was having the effect of rallying and unifying the employers.[20] In his address to the convention, D. M. Parry announced that the Citizens' Industrial Alliance was seeking to maintain the basic principles of American institutions. He urged the continuation of the educational propaganda begun the previous year. He felt great satisfaction at the widespread acceptance of the program of the Association, and announced with pride that the opposition to unionism was spreading throughout the United States.[21] At the convention of 1904, it was decided to establish a Bureau of Organization for the purpose of co-ordinating the organization of anti-union Associations; and a bureau of education to publish literature favorable to the open shop.[22]

The second convention of the Citizens' Industrial Alliance met the same year on November 29. There were present 294 delegates, representing Associations in 26 states and the District of Columbia. Every section of the United States was represented. The list of the organizations showed this anti-union movement to have been predominantly a medium and small employers' movement.[23]

The attack upon unionism and the union shop was echoed by educators and preachers, many of whom were moved to attack the organized workers by the employers' skillful appeal to patriotism and American ideals. Among the more important idealistic

[19] Robbins, Hays, "Freeing San Francisco," *Public Policy*, December 3, 1904, pp. 270–273; California Citizens' Alliances, *Third Annual Convention*, 1906.

[20] Citizens' Industrial Association, *Proceedings of 1904 Convention*, pp. 35–42.

[21] *Ibid.*, pp. 5–13.

[22] *Ibid.*, p. 81.

[23] Citizens' Industrial Alliance, *Second Annual Report*, November 1904 pp. 43–51; Baker, Ray Stannard, "Organized Capital Challenges Organized Labor," *McClure's Magazine*, July 1904, p. 283.

opponents of labor was Charles W. Eliot, President of Harvard University. He aligned his great prestige amongst the middle class and professional groups on the employers' side of the argument, and glorified the strikebreaker as an "American hero." In an article in *Harper's Magazine* in March 1905 he pleaded that employers should allow "no sacrifice of the independent American worker to the labor union." The independent American worker was none other than the non-union worker who remained on the job during a strike. Eliot insisted that "nothing is more essential to the preservation of individual liberty" than protecting this "independent worker." [24]

The third convention of the Citizens' Industrial Alliance, in 1905, was attended by the largest number of delegates in the organization's history. Four hundred and sixty-eight delegates came from every state in the Union. Labor unionism was assailed, and the progress of the employers' organizations was viewed with great satisfaction.[25] The concerted campaign of the open shop employers had produced notable results. It had stopped unionism in its tracks, as borne out by the aggregate membership figures of the labor organizations. The liquidation of unionism in the smaller communities that accompanied this general repulse of the labor movement possessed a significance beyond mere loss in membership. It was as if non-urbanized America, still the nation's political and social stronghold, had tried unionism and rejected it as an alien growth.[26]

Public opinion, so favorable to labor during the anthracite strike of 1902, had now changed sides. C. W. Post, who in 1905 was chosen to head the Citizens' Industrial Association, congratulated the convention of 1906 on the very significant fact that "two years ago the press and pulpit were delivering platitudes about the oppression of the workingman. Now this has all been changed since it has been discovered that the enormous Labor Trust is the heaviest oppressor of the independent workingman as well as the common American Citizen. The people have become aroused and are now acting. It has been the duty of this Association to place the facts before the people by various forms of publicity in

[24] Eliot, C. W., "Employers' Policies in the Industrial Strife," *Harper's Monthly Magazine*, March 1905, pp. 529–532.

[25] Mimeographed circular of the San Francisco Citizens' Alliance, issued January 20, 1906.

[26] See Chapter II.

the work of moulding public opinion to a point of active self-defense." [27]

Secretary James A. Emery, reporting on the activities of the Association, showed that it had spread to every section of the United States, that it was acting as a constant spur to organized employer action, and that few of the more important labor controversies escaped its effective interest.

The Citizens' Industrial Association continued strong and active for another two years. But after 1908 its influence waned—partly as a result of its own success in checking the growth of unionism, and partly due to the rise of political progressivism which redirected the public mind towards a more liberal attitude on the labor question.

[27] Citizens' Industrial Association, *Proceedings of the Fourth Convention*, January 1907, pp. 6–8.

CHAPTER XIV

STEEL ACHIEVES AN ABSOLUTE KINGDOM

The decisive victory gained by the United States Steel Corporation in its first encounter with its organized workers left unionism in a precarious position. The Company refrained from making a clean sweep of unionism in its plants at once, preferring to wait until the public had become more favorably disposed to the huge steel combine. It sought to win its employees over from unionism by a profit sharing scheme.

In December 1902, the Company announced its profit sharing plan. The officers and employees were informed that 25,000 shares of stock had been set aside for purchase by employees. Those eligible to purchase stock were divided into six classes based upon yearly wages or salary.[1] Preference in stock purchasing was given to the lower paid employees. The stock was to be purchased at market price, and payments as low as $2.00 a share per month and as high as 25 per cent of an employee's salary were allowed. A premium of $5.00 a year for five years was assured for each share of stock purchased under this plan, payable at the end of the term. Subscriptions upon which payment was discontinued could be canceled, and the amount paid in refunded. Premiums were not paid to employees who sold their stock, or left the employ of the Company. The forfeited or unpaid premiums, except when due on ordinary cancellations, were to be kept in a fund and divided *pro rata* among the remaining shareholders under this plan at the end of the five-year period. In case of death, the estate was entitled to the premiums for the full five-year period.[2] More than 47,000 shares of stock were sold in 1903 under this plan.[3]

In May 1906, the United States Steel Corporation inaugurated its employee-safety program. A safety committee to utilize and disseminate information on accident prevention amongst all of

[1] *Letter of George W. Perkins, Chairman of Finance Committee, United States Steel Corporation, to Officers and Employees of United States Steel Corporation*, December 31, 1902.

[2] *Ibid.*

[3] Gulick, Charles A., *Labor Policy of the United States Steel Corporation*, Columbia University Press, New York, 1924, p. 139; Fitch, John A., *Steel Workers*, p. 208.

the subsidiaries was organized. In 1910 the idea of safety was extended to include voluntary accident relief for those injured and for their dependents.[4] During the same year, the Company, with the aid of Andrew Carnegie, inaugurated an old age pension system. The Company also began a home building program for its employees and provision for a variety of vocational, social, and medical facilities.[5]

The United States Steel Corporation led the country in industrial safety and stood in the front ranks of welfare work for employees.

In the meantime, the Amalgamated Association of Iron, Steel and Tin Workers was losing ground. In 1904 the mills of the American Steel Hoop Company offered the union a scale of wages which the union refused to accept. A strike followed and the union was defeated.[6] The Amalgamated Association continued to decline, and by 1908 the union controlled only a few mills.[7]

On June 1, 1909, the American Sheet and Tin Plate Company posted notices that, beginning July 1, all of the Company's plants would be operated as "open shop." These were the last of the unionized mills of the United States Steel Corporation. The announcement was a natural result of the policy outlined at the early meetings of the Corporation's Board of Directors.[8] In addition to the open shop, the Company reduced rates in tin mills on the average of about 3.5 per cent and the wages of rollers, heaters, and shearmen in sheet mills were cut about 2.45 per cent. The Company also abolished all other provisions of the scale until further notice.[9]

The President of the Amalgamated Association sought a conference with the officers of the American Sheet and Tin Plate Company. His communication was not even acknowledged. The union's Executive Board was hastily summoned into session, and called a special convention of all sheet and tin plate lodges. On June 14, 34 delegates assembled at Pittsburgh. An inducement was offered to the independent manufacturers not to follow the

[4] Close, Charles L., *Welfare Work in the Steel Industry*, pamphlet, 1920, pp. 5–13.
[5] *Ibid.*, pp. 40–44.
[6] Gulick, C. A., *op. cit.*, p. 102.
[7] *Report on Conditions of Employment in the Iron and Steel Industry*, Vol. III, p. 130.
[8] See Chapter IX.
[9] Amalgamated Association of Iron, Steel and Tin Workers, *Journal of Proceedings*, 1910, p. 8852.

lead of the "trust" by a promise to permit them to operate, provided they signed the scale for 1909–10, and a strike and organizing campaign was mapped out. The union was to be strengthened by a close alliance with the International Protective Association of Tin Workers. The general labor movement was asked to loan the services of organizers for the non-union plants. The Association itself promised to put at least 12 organizers in the field, and the non-union mills organized during the strike were promised to be included in the scale of settlement.[10]

The union persisted in its efforts for a conference with the Company. On June 21, it was informed by the president of the American Sheet and Tin Plate Company that the posted notices revealed the Company's intentions in regard to organized labor. As a last minute effort to avert a strike, President McArdle, of the union, conferred with John Mitchell, then chairman of the Trade Agreement Department of the National Civic Federation. McArdle also corresponded with Seth Low, chairman of the Conciliation Commission of the National Civic Federation. Both Low and Mitchell sought to bring about a meeting of the union officers with Elbert Gary, chairman of the Board of Directors of the United States Steel Corporation. He declined to intervene. The question was in the hands of the officers of the subsidiary Company.[11]

On June 30, a strike order was issued by the Amalgamated Association. All plants of the American Sheet and Steel Company, except the one in Cambridge, Ohio, responded.[12] The International Association of Tinplate Workers, which claimed to control 2000 workers in the tin mills of the Company, voted to join the strike.[13] The union issued an appeal to the unorganized. The improvements enjoyed by the unorganized, the union maintained, were due to the fear of organized labor. That fear gone, unorganized labor would suffer.[14]

The unorganized responded. Tin plate mills at New Castle, Sharon, and Connellsville, Pennsylvania, Wheeling, West Virginia, Martins Ferry, Ohio, and Anderson and Gas City, Indiana, were tied up. Sheet steel mills at Bridgeport, Cambridge, Piqua, and

[10] *Ibid.*, pp. 8853–8854.
[11] *Ibid.*, p. 8858.
[12] *Amalgamated Journal*, July 8, 1909, p. 1.
[13] *Pittsburgh Labor World*, July 1, 1909, p. 15.
[14] *Amalgamated Journal*, July 1, 1909, p. 1.

Struthers, Ohio, and Muncie, Indiana, were also forced to suspend operations.[15]

At Vandergrift, Pennsylvania, several union organizers were assaulted by a mob led by Company officials. The organizers were ordered out of their hotel, and the mob threatened to burn the building unless the union officers left the community.[16] Injunctions against picketing were secured at Wheeling, Youngstown, and New Castle, but at South Sharon and Elwood the Company was unable to secure a restraining order.[17] In New Castle, Pennsylvania, the Company imported strikebreakers. During the latter part of July, Emmet Flood, an American Federation of Labor organizer, was ordered out of Morgantown, West Virginia.[18] Although the union was successful in paralyzing the organized mills, on the whole, it failed to cripple those plants which had been operating on a non-union basis prior to the strike. On July 26, the president of the American Sheet and Tin Plate Company claimed the union defeated, as it had failed to reduce operations in the non-union plants and even to prevent the Company reopening several of the unionized mills.[19]

On August 5, the union sent out an appeal for aid to the labor movement and union sympathizers.[20] During August 1909, the Company brought suit for $200,000 in the United States Circuit Court against a number of active union men at New Castle.[21]

The union was seriously hampered by the undisguised hostility of the local officials, especially in towns with non-union mills.[22] In the eight years elapsed since the strike of 1901, the union had lost every influence over town authorities.[23]

In November 1909, the steel strike came before the convention of the American Federation of Labor. At last the Federation sensed the importance of the struggle in the steel industry. To dramatize the interest of all organized labor, a meeting of repre-

[15] *Pittsburgh Labor Tribune*, July 8, 1907.
[16] *Amalgamated Journal*, July 15, 1909, p. 1.
[17] Amalgamated Association of Iron, Steel and Tin Workers, *Journal of Proceedings*, 1910, p. 8856.
[18] *Amalgamated Journal*, July 29, 1909, p. 1.
[19] *Pittsburgh Labor World*, July 29, 1909, p. 6.
[20] Amalgamated Association of Iron, Steel and Tin Workers, *Journal of Proceedings*, 1910, p. 8862.
[21] *New York Call*, August 13, 1909.
[22] Amalgamated Association of Iron, Steel and Tin Workers, *Journal of Proceedings*, 1910, p. 8902.
[23] *Amalgamated Journal*, September 9, 1909, p. 1.

sentatives of national and international officers was called in the heart of the steel district.[24]

The meeting opened at Pittsburgh on December 13 under the presidency of Gompers. Forty organizations were represented. The conference denounced the United States Steel Corporation as a "soulless corporation" and an illegal trust, and determined to lay before Congress and the President of the United States the grievances of labor against it. The whole labor movement was urged to come to the aid of the embattled steel workers. Each international union was urged to send at least one organizer into the field, so that all of the plants of the United States Steel Corporation might be made to join the strike. The aid of central labor bodies, labor papers, and labor sympathizers was pledged. Committees of labor leaders were to be dispatched to interview the officials of the government at Washington and the Governors of Ohio and Pennsylvania.[25]

On January 1, 1910, President Gompers called upon every trade union to donate at least 10 cents per member in support of the strike.[26] On January 6, a committee of leading officials of the American Federation of Labor, headed by Gompers, presented the bill of grievances against the United States Steel Corporation to the President and Congress, and urged an investigation of its activities.[27]

The union continued the uneven struggle. It was evident, after several months, that it was a losing fight and that the labor offensive was a failure. But the Amalgamated carried on a grim defensive to hold its own in the union plants. On March 1, 1910, it issued another appeal for aid. On the first of May, the American Sheet and Tin Plate Company announced a wage increase above the scale demanded by the Amalgamated.[28] This maneuver was designed to prove that the union was unnecessary in the industry, and that the Company alone could adequately protect the interests of the workers. The hopelessness of the situation became obvious. On August 1 a meeting of representatives of all lodges on strike except one was held. It was decided to hold a referendum

[24] American Federation of Labor, *Proceedings*, 1909, pp. 226–227.
[25] *Pittsburgh Labor World*, December 16, 1909, pp. 1, 15.
[26] *Amalgamated Journal*, January 6, 1910, p. 1.
[27] *New York Call*, January 7, 1910.
[28] *Report on Conditions of Employment in Iron and Steel Industry*, Vol. III, pp. 134–135.

vote on ending the strike. The membership refused to surrender. Nevertheless, the Executive Board at its session on August 23 decided to terminate the 14 months' strike.[29]

The expulsion of the union from the plants of the United States Steel Corporation was a natural sequel to the unsuccessful strike of 1901. For eight years the United States Steel Corporation never swerved from the policy of preventing union expansion adopted in that strike, although it continued to tolerate unionism in a few of its plants. But the "welfare" policy towards the employees and the firm control acquired over local governments betray the intention eventually to make the employer's power absolute. After 1910 the United States Steel Corporation was an absolute government so far as labor was concerned.

The Bethlehem Steel Company, the largest independent producer and non-union, had in 1910 an unorganized strike against its labor policy. Eight hundred left work on February 4 in protest against the discharge of a spontaneously appointed grievance committee.[30] Soon the strike spread to the majority of the Bethlehem employees.[31] At the end of the first week, organizers of the American Federation of Labor began to arrive. The undisciplined strikers were transformed into an organized group. An executive committee was selected, and a list of demands was drawn up calling for reduced hours of labor, higher rates of wages, and more favorable working conditions. Three thousand five hundred enrolled in the following unions: boiler makers', machinists', molders', iron, steel, and tin workers', cranemen's, pattern makers', blacksmiths', laborers', electricians', structural iron workers', carpenters', and stationary engineers'.[32] In a public answer to the union demands, Charles M. Schwab, president of the Company, announced that under no conditions would he deal with organized labor.[33] The strike continued for some time, but gradually the Company was able to resume and to increase its operations. After a little more than two months the strike ended and the organization collapsed.

[29] Amalgamated Association of Iron, Steel and Tin Workers, *Journal of Proceedings*, 1911, pp. 9216–9222.

[30] *Report on Bethlehem Steel Strike*, Senate Document No. 521, 61st Congress, 2d Session, pp. 10–11.

[31] *New York Call*, February 7, 1910.

[32] *Amalgamated Journal*, March 10, 1910, p. 1.

[33] *New York Call*, March 7, 1910.

CHAPTER XV

THE VASSAL OF STEEL

The elimination of the Amalgamated Association from the steel industry was the major but not the sole blow struck by the United States Steel Corporation against unionism. The vassals of the Steel Corporation, its subsidiaries in industries auxiliary to steel manufacturing, followed its cue on labor policy, both as regards the ultimate objective and the Fabian strategy to obtain it. The carrying trade on the Great Lakes, the link between the iron mines and the steel mills, was the faithful vassal of the Kingdom of Steel.

The sailors, suffering from legal and economic disabilities, which made their condition little better than slavery, had early sought relief in organization. The seamen were organized on the Atlantic, the Great Lakes, and the Pacific. But it was on the Great Lakes that their union first encountered a life and death struggle.

On the Great Lakes, the reorganization of an old seamen's union, under the name of the Chicago Seamen's Benevolent Union, in 1878, led to the growth of unionism in a number of the Lake ports. Nine branches were formed under the control of the parent local in Chicago. The spread of labor organizations led to a counter move by the employers, and an attempt was made to organize a general vessel owners' association. The promoters of the employers' venture failed to arouse general support and the movement failed. Nevertheless, the Cleveland owners, the most aggressive among the employer group, succeeded in defeating the union in 1881 and again in 1885. During the latter year, the Lake Carriers' Association was organized to "take action upon questions relating to the navigation and carrying business in the Great Lakes and the waters tributary thereto." In 1892 the activities of the Association were enlarged to include labor problems.[1]

In 1893 the Lake Carriers' Association began a war on the seamen, and succeeded in destroying the none too virile organization. In 1894 there was a reorganization of the union on the Lakes, and

[1] Hoagland, H., *Wage Bargaining on the Vessels of the Great Lakes*, University of Illinois, 1917, pp. 15–20.

seamen on steamboats, who had been formerly excluded, were now allowed membership.[2]

By the middle of the nineties iron ore had become most important in the freight traffic on the Great Lakes. The Rockefeller interests controlling the Mesaba iron mines entered the shipping industry in 1895 and soon became dominant in rate making. Also new methods of dealing with labor were introduced. The new large steel vessels meant a considerable outlay of capital, and the owners insisted upon a more efficient protection of this investment. Hence the "single-trip" crew gave way to a more permanent labor force. Yet it led to no improvement in food and accommodations. The owners continued to regard the workers as the dregs of humanity—and treated them accordingly.[3]

In 1901, the Lake Carriers' Association sought to enroll all the vessel employers in one federation, to be managed and controlled by vessel owners. The unions sensed that this maneuver foreboded trouble, and a central organization, the Marine Council, was formed. The following unions participated: the International Longshoremen's Association, the Marine Engineers' Benevolent Association, the American Association of Masters and Pilots, the Licensed Tugmen Protective Association, the Marine Firemen, the Oilers and Watertenders' Union, and the Lake Seamen's Union. The Marine Council enjoyed only an ephemeral existence. It exercised advisory powers, and craft jealousy and separatism thwarted effective co-operation. In 1902, a year after its formation, it ceased to exist.[4]

The fear of an attack by the Lake Carriers' Association proved unfounded. After its reorganization in January 1903, the Lake Carriers' Association met with representatives of the Lake Seamen's Union, and agreed to terms for the season. This was the first formal agreement between the vessel owners and the Seamen's Union. The union gained concessions on limitation of the working day and payment for overtime.[5]

As yet the Lake Carriers' did not wish to challenge the combined strength of labor. It prudently chose to take a step at a time. In 1904 the Association refused to meet the American Association of Masters and Pilots. The owners claimed that the master

[2] *Ibid.*, pp. 20–22.
[3] *Ibid.*, pp. 23–26.
[4] *Ibid.*, p. 47.
[5] *Coast Seamen's Journal*, April 8, 1902, p. 8; April 15, 1902, p. 8.

was the owner's personal representative and that he should not be banded together with his subordinates. There was a minority amongst the owners who were willing to deal with the masters' organization, but the United States Steel Corporation threatened them with a loss of business and they were forced to hold out against the union. The companies managed to secure a few masters, and by the middle of June the strike was practically over. The men who were rehired were forced to surrender their membership in the American Association of Masters and Pilots.[6]

The Seamen's Union was left untroubled until 1908. The usual spring meeting with the unions was postponed, and during March the Cleveland owners voted for the open shop. The Lake Carriers' Association, at its meeting in the early part of April, indorsed the Cleveland move. The Seamen's Union felt that it was unprepared for a strike, and instructed its members to remain silent about their union membership and man the boats.[7]

On May 28, the Lake Carriers' Association ordered the vessel officers to discharge any man caught "agitating." This order was directed against any union men who had found employment aboard the Association ships.[8] On August 1, seamen, firemen, oilers, and stewards were compelled as a condition of employment to sign affidavits renouncing all allegiance to their unions and swearing that it was not their intention to join in any strike.[9]

Still the union refused to be goaded into a strike during a depression. In December 1908, the Lake Carriers took a leaf out of the book of the Steel Corporation and came forth with a "welfare plan." The "welfare plan" provided for the establishment of assembly rooms in all the Lake ports for the use of men who carried "welfare plan" certificates. A nominal charge of $1.00 per man was made to unlicensed men and a higher charge to licensed officers. Certificates could be obtained by the applicant declaring his willingness to discharge his duties aboard the ship regardless of union affiliations. They were revocable at the discretion of the Lake Carriers' Association. The holders of certificates were also given "continuous record discharge books," which contained a description of the holder of the book and his continuous service record, showing the vessels and the capacity in which he had

[6] Hoagland, H., *op. cit.*, pp. 64–66.
[7] *Coast Seamen's Journal*, December 16, 1908, p. 1.
[8] *Ibid.*, June 3, 1908, p. 8.
[9] *Ibid.*, August 19, 1908, p. 8.

worked. Upon accepting a position, the holder deposited the book with the captain or with the chief engineer, if he worked in the engine service. Good or fair service was recorded and the book returned at the end of the journey. If the service was unsatisfactory, the book was returned to the executive office of the Lake Carriers' Association with a statement by the officer in charge. The Association also paid from $75 to $500 to dependents of those carrying Welfare Books killed by accident incidental to their employment aboard ship.[10]

The chances of crushing the union were improved by the changes which had been going on for several years in the labor personnel on the ships. The early sailors and firemen on the Great Lakes were hard-drinking, floating workers closely resembling the sailors of the coasts. They were far from docile and prone to leave their jobs in protest against hard conditions. Gradually the firemen's jobs were given to Southern Europeans who accepted their conditions of employment without questioning. Parallel with that the deck forces were now largely recruited from the rural areas bordering on the Great Lakes. These men found their new life and work a welcome relief from the drabness of their home surroundings. Moreover, these new groups had never been exposed to unionism.[11]

The union considered the "welfare plan" as a device to eliminate the organized men from the Lakes, a dressed-up and high sounding blacklist system. In a letter to the president of the Lake Carriers' Association, before the 1909 season, the union officers protested the discrimination against union men.[12] Failing to receive a satisfactory reply, the union issued a strike resolution for the approval of the membership. On April 30, the membership was notified that the strike referendum had carried, and all seamen, marine firemen, cooks, and stewards were ordered to quit work on all boats controlled by the Lake Carriers' Association.[13] The strike was effective on May 1. The Lake ports reported that shipping was severely hampered by the walkout.[14] As soon as the strike got underway, the Lake Carriers opened an employment office for the recruiting of strikebreakers.[15]

[10] Brissenden, Paul F., *Employment System of the Lake Carriers' Association*, United States Bureau of Labor Statistics, No. 235, 1918, pp. 13–15.
[11] Hoagland, *op. cit.*, p. 96.
[12] *Coast Seamen's Journal*, April 21, 1909, p. 6.
[13] *Chicago Record-Herald*, May 1, 1909.
[14] *Ibid.*, May 2, 1909.
[15] *Ibid.*, May 11, 1909.

Representatives of the arbitration boards of New York, Ohio, Michigan, Indiana, Wisconsin, and Illinois met in Chicago to attempt to end the strike by arbitration, but failed. They failed once more at Detroit on May 17. The union stood ready to arbitrate its demands, which included the elimination of the discharge book system, regulation of working hours, no employee to be required to work more than 12 hours continuously, and the right to belong to a labor union. The Lake Carriers, on the other hand, refused to compromise the question of the "open shop." This principle, the president of the Association declared, was not subject to arbitration.[16]

In June the International levied a $3.00 assessment in behalf of the strikers.[17] The strike continued during the entire season of 1909. Numerous arrests of strikers were made in the Lake ports, and five union men were killed by police and strikebreakers during the season of 1909.[18] The strike was fairly effective, and the organization was determined to carry on the fight the following season.

At the beginning of the 1910 season, the Lake Carriers' Association announced a raise in wages of about 5 per cent, but it refused to recede from its anti-union attitude.[19] The strike was continued throughout the season of 1910, but it had weakened in effectiveness. At the beginning of the 1911 season, the seamen's organization levied a second assessment in support of the Great Lakes strikers.[20] This was more in the nature of a gesture. At the end of 1910, the union on the Lakes was practically disrupted, but the leaders wanted to continue the struggle for another season. An elaborate spy system was introduced aboard the boats, union men ferreted out, and replaced by more docile workers.[21] The season of 1911 passed with a nominal strike maintained against the Lake Carriers' Association. During January 1912, a conference of union officers, from the strike ports, discussed the situation. It was decided to continue the strike.[22] At the beginning of the season, the union's attitude underwent a change. A statement of the president of the Lake Carriers' Association "that no discrimination will be shown

[16] *Ibid.*, May 2, 12, 18, 1909.
[17] *Coast Seamen's Journal*, June 16, 1909, p. 7.
[18] *Ibid.*, December 15, 1909, p. 2.
[19] *Ibid.*, May 11, 1910, p. 8.
[20] *Ibid.*, April 26, 1911, p. 6.
[21] Hoagland, H., *op. cit.*, pp. 90–96.
[22] *Coast Seamen's Journal*, December 20, 1911, p. 8; February 14, 1912, pp. 8–11.

to union men" was used as an excuse to end the strike, and on May 1, 1912, three years after the first call, the struggle was officially at an end.[23]

The strike had ceased to be effective in 1910. The dogged struggle carried on, after the strike had ceased to hamper operations, was a desperate effort of the organization to prevent its complete elimination from the Lakes. The success of the vessel owners in ousting the union again demonstrated the vulnerability of labor organizations to attacks by big business. The defeat cannot be attributed to any deficiency or lack of courage within the union. Large reserves of immigrant and native rural labor, to whom strikebreaking was not opprobrious, aided in the defeat. But the biggest factor was the inspiration to the carriers from the United States Steel Corporation to achieve an employer absolutism.

[23] *Ibid.*, May 1, 1912, p. 8.

CHAPTER XVI

LABOR'S ATTEMPTED POLITICAL DÉMARCHE

The American Federation of Labor had sought in the early years of its existence to avoid the shoals of politics. The efforts of the socialists to commit the organization to independent party politics had failed. The Federation found it necessary, however, to protect the interests of the workers at the legislative halls of Congress and the state legislatures. In 1895, a committee made up of Adolph Strasser and Andrew Furuseth was stationed in Washington during the session of Congress.[1]

The non-partisan political policy of the Federation met the opposition of an active socialist minority, who constantly urged the indorsement of the Socialist Labor Party. The convention of 1896 declared that "party politics, whether they be Democratic, Republican, Socialistic, Populistic, Prohibition, or any other, shall have no place in the conventions of the American Federation of Labor." [2]

After the convention of 1896 the question of independent political action failed to provoke serious debate until 1902. At this session a number of resolutions indorsing socialist doctrines and independent political action was submitted. The resolutions committee proposed a substitute measure which opposed deviation from the traditional policy of the American Federation of Labor. Delegate Max S. Hayes, a member of the Socialist Party, submitted the following amendment to the committee's report: "Resolved that the twenty-second annual convention of the American Federation of Labor advise the working people to organize their economic and political power to secure for labor the full product of its toil and the overthrowal of the wage system and the establishment of an industrial co-operative commonwealth."

The amendment evoked a lively and long debate, and in the end it was defeated by a vote of 4171 to 4897, with 387 not voting.[3]

[1] American Federation of Labor, *Proceedings*, 1896, p. 11.
[2] *American Federationist*, June 1898, p. 74.
[3] American Federation of Labor, *Proceedings*, 1902, pp. 178–184.

The large vote polled by the socialists encouraged them to renew their demands for the indorsement of the "public ownership of the means of production and distribution" and independent political action at the convention of 1903. The resolutions committee brought in the customary adverse report. Gompers closed the acrid debate with the oft-quoted peroration:

> "I want to tell you Socialists, that I have studied your philosophy, read your works upon economics, and not the meanest of them; studied your standard works, both in English and in German—have not only read but studied them. I have heard your orators and watched the work of your movement the world over. I have kept close watch upon your doctrines for thirty years; have been closely associated with many of you, and know what you think and what you propose. I know, too, what you have up your sleeve. And I want to say that I am entirely at variance with your philosophy. I declare to you, I am not only at variance with your doctrines, but with your philosophy. Economically, you are unsound; socially, you are wrong; and industrially you are an impossibility." [4]

The socialist resolution was overwhelmingly defeated and the candidate against Gompers, Ernest Kreft, was even more decisively beaten.[5]

The conventions of 1902 and 1903 were the high-water mark of the socialist influence in the Federation. Resolutions indorsing independent political action and socialist principles continued to be introduced at the subsequent conventions of the Federation, but not until a decade later did the socialist opposition become formidable again.[6]

The overwhelming defeat of the socialists betrayed the Federation's satisfaction with its own progress. But developments on the Federation's judicial front were soon to force more attention to political activity. Injunctions in labor disputes were rapidly increasing, and in 1900, the Federation used the introduction of an amendment to the Anti-trust law as an occasion to seek relief. Representative Littlefield of Maine was asked to incorporate a clause in his amendment exempting labor from the provisions of the Act. He refused and thereupon it was offered by a member of the minority party from the floor and defeated.[7]

[4] *Ibid.*, 1903, pp. 188–198.
[5] *Ibid.*, pp. 199–230.
[6] See below, p. 364.
[7] *American Federationist*, December 1913, p. 1003.

The convention of 1902 instructed the Legislative Committee to prepare bills on labor legislation, especially oriental immigration, government by injunction, the eight-hour work day, and child labor. The bills were to be submitted to the state federations, which were to seek the indorsement of these bills by the several political parties, and only support candidates favoring labor legislation. But by this time the manufacturers' influence on legislation had grown strong enough to nullify the pressure of organized labor.[8] In 1902 the National Association of Manufacturers caused the defeat of the eight-hour and injunction bills before Congress, and D. M. Parry urged the convention of 1903 to continue its militant anti-labor activities.[9]

In 1903, the National Association of Manufacturers actively entered the wider political arena. Its activities were systematic and thorough. To checkmate future labor legislation its agents tried to cut off labor's influence at the source by defeating congressmen and senators favorable to labor. Senator McComas, of Maryland, and Congressman William Hughes, of New Jersey, were the victims of this campaign.[10]

The success of the punitive expedition of the National Association of Manufacturers in 1904 doomed labor's influence in the Congress elected in that year. While court injunctions in labor disputes were rapidly becoming the rule, no redress was in sight. The American Federation of Labor was being pushed to display more energy in the unwonted field of politics.

On March 24, 1906, the Executive Council and representatives of 118 international unions met in Washington and formulated Labor's Bill of Grievances, which was finally presented to President Roosevelt, to the President Pro-Tempore of the Senate and to the Speaker of the House. The Bill of Grievances recited the principal demands made by labor; enactment of an adequate eight-hour law; elimination of the competition of convict labor; relief from the increasing stream of immigration; Chinese exclusion; a law forbidding the towing of more than one undermanned and unequipped vessel; exemption from the application of the provisions of the anti-trust legislation; relief from the use of in-

[8] American Federation of Labor, *Proceedings*, 1908, p. 29.

[9] National Association of Manufacturers, *Proceedings of Eighth Annual Convention*, 1903, pp. 15–17.

[10] Mullhall, Martin T., in *Chicago Tribune*, June 29, 30, 1913; Testimony of Mullhall reported in *Chicago Tribune*, July 13, 1913.

junctions; the appointment on the House Committee of Labor of members who are sympathetic to labor; and restoration to government employees of the right of petition.[11]

The Bill of Grievances was ignored by Congress. The Executive Council, publicity failing, decided to enter the congressional campaign of 1906 and to help bring about the defeat of its enemies. In theory this was no new departure, as the Executive Council was wont to issue general instructions to support friends and punish enemies. In effect, however, such instructions, in the absence of any co-ordinated activity, were seldom more than a dead letter. The congressional election of 1906 therefore marked a real change, for the Executive Council now urged central bodies and local unions to elect delegates to conferences or conventions to formulate plans for the defeat of those legislators who had been hostile or indifferent to its demands. Even more important was the instruction that wherever both parties ignored labor's demands, a straight labor candidate was to be nominated. Where a congressional or state legislator favored labor, he was to be supported regardless of party. A Labor Representation Committee made up of Samuel Gompers, Frank Morrison, and James O'Connell, was elected to direct the campaign, and an appeal for funds was made.[12]

Labor's active *début* in national politics was made in the second congressional district of Maine. This was the home of Congressman Littlefield, who was later charged, in the revelation of the activities of the National Association of Manufacturers, by its own agent, Colonel Mullhall, with having been on its payroll.[13] On August 18, President Gompers arrived in Littlefield's district and addressed a large meeting at Lewiston. Gompers remained in this district, and was assisted by a large number of other union officers and speakers. The activities of the labor campaigners had an effect, and half a dozen of the leading Republican spellbinders were rushed to Maine to salvage Littlefield's election.[14] Money was lavishly used on behalf of Littlefield.[15] He was re-elected by his Republican constituency, but with a materially reduced plu-

[11] National Association of Manufacturers, *Proceedings of Eleventh Annual Convention*, 1906, p. 24; *American Federationist*, May 1906, pp. 293–297.

[12] *American Federationist*, August 1906, pp. 529–531.

[13] *Chicago Tribune*, June 30, 1913.

[14] Gompers, Samuel, "The First Skirmish," *American Federationist*, October 1906, pp. 795–796.

[15] *Chicago Tribune*, June 30, 1913.

rality. In 1904 he had polled 19,206 and was elected by a plurality of 5449; in 1906 his total vote reached 18,708, but his plurality was reduced to 1362.[16] Labor carried on its political activities in other districts, and succeeded in reducing the pluralities of its chief opponents and electing six union card men to Congress. A sum of $8,225.94 was collected and expended during the campaign.[17] The convention of 1906 fully upheld the "new policy."

In the meantime the issue of the legal rights of unions was reaching a critical turn. The outstanding cases were the Danbury Hatters' and the Bucks' Stove and Range cases. In 1902 the United Hatters of North America called a strike against D. E. Loewe and Company of Danbury, Connecticut, an old enemy, and declared a nation-wide boycott against his products. Loewe and Charles H. Merritt, another non-union hat manufacturer, with the aid of Daniel Davenport, a Bridgeport attorney, formed the American Anti-Boycott Association in October 1902. Merritt was chosen chairman and Davenport executive agent. The organization was to devote itself "to resist boycott by legal means and assist in enforcement of laws against the same." [18]

On August 31, 1903, the Loewe Company filed suit under the Sherman Act in the United States District Court of Connecticut for triple damages of $240,000 against the officers and members of the United Hatters of North America.[19] It was accompanied by the unusual move of asking for an attachment of the homes and the estates of the defendant hatters. The question whether there had actually been interference with interstate commerce was carried to the United States Supreme Court, which, on February 3, 1908, ruled that the case came under the statute as a conspiracy in restraint of trade.[20] The case was sent back for trial and the jury allowed the full amount requested. The United States Supreme Court finally upheld the verdict in 1915.[21] Two

[16] *American Federationist*, May 1908, pp. 341–343.

[17] *Ibid.*, May 1908, p. 346; October 1912, p. 803.

[18] *Constitution of American Anti-Boycott Association*, p. 1; Merritt, Walter G., *History of the League for Industrial Rights*, New York, 1925.

[19] Berman, Edward, *Labor and the Sherman Act*, Harper and Brothers, New York, 1930, p. 78.

[20] *Loewe* v. *Lawlor*, 208 U. S. 274, 28 Sup. Ct. 301 (1908); 148 Fed. 924 (1907); "The Loewe Case," *Bulletin of American Anti-Boycott Association*, pp. 32–33.

[21] 187 Fed. 552 (1911); 223 U. S. 721 (1912); 209 Fed. 72 (1913); 235 U. S. 522, 35 Sup. Ct. 170 (1915).

years later a settlement for $234,000 was made and the greater part of the amount was raised by organized labor.[22]

The most significant feature of this case was that individual members became liable for the actions of union officers and other members. Only two of the 197 defendants were prominent in the union.[23]

In December 1907 the Bucks' Stove and Range Company secured an injunction in the Supreme Court of the District of Columbia against the American Federation of Labor and its affiliated bodies from further prosecuting a boycott against itself, notably through the inclusion of its name in the "unfair list" in the *American Federationist*, where it had first appeared in the May issue of that year. At that time the list had on it the names of over eighty firms. The original conflict arose out of the refusal of the Company to continue the nine-hour day of the metal polishers in its employ and out of its alleged violation of an agreement with the International Brotherhood of Foundry Employees. The action of the Federation in placing the Company on the "unfair list" was at the request of the metal polishers and after an investigation by President Valentine of the molders' union in behalf of the Executive Council. The matter was given wide publicity due to the fact that the President of the Company, J. W. VanCleave, was also President of the National Association of Manufacturers, Vice-President of the Citizens' Industrial Association,[24] and a very articulate enemy of union labor, at the time reputed to be engaged in raising a fighting fund of $1,500,000. Under these circumstances the boycott was effectively prosecuted by organized labor throughout the country, ultimately forcing a reorganization of the Company. In the meantime, however, the Federation ignored the injunction with the result that President Gompers, Secretary Morrison, and Vice-President Mitchell of the Federation were sentenced in December 1909 by Judge Wright for contempt of court to jail terms ranging from six months to one year.[25]

[22] Witte, E. E., *The Government in Labor Disputes*, McGraw-Hill, New York, 1932, p. 134.

[23] *Ibid.*, p. 135. Members' liability, according to the Supreme Court, followed either from antecedent authorization or subsequent ratification, the latter necessitating no formal approval but merely accepting without protest the benefits resulting from the unlawful acts. (*Ibid.*, p. 145.)

[24] See above, p. 134.

[25] Gompers was finally sentenced to imprisonment for thirty days and the other

The Danbury Hatters' and the Bucks' Stove cases made the danger to the labor movement of court interference exceedingly tangible. When the leaders of the labor movement found themselves with jail sentences hanging over them and when employers could attach the homes of inactive members to collect judgments in damage suits, it made the leaders as well as the rank and file feel that their unions were existing only at the sufferance of the law and the employers. American unionism, which had developed its most effective technique on the economic arena, and therefore would have preferred to center its activities on that terrain, was now compelled to muster its forces on the political field. This "state of mind" of the labor movement goes to explain the "will to believe" of the leadership, as shown in connection with the Clayton Act of 1914, that a mere declamatory phrase without legal significance, "the labor of a human being is not a commodity or article of commerce," could strike down their legal fetters.

A test of strength between the American Federation of Labor and the National Association of Manufacturers occurred in Congressman John J. Jenkins' district in Wisconsin in 1908. As chairman of the Judiciary Committee, to which all bills pertaining to injunctions were referred, Jenkins was invaluable to the organized manufacturers. The victory went to labor and to its ally Senator La Follette.[26]

The Federation even tried to hold out a hand to the farmers' organization. The Executive Council of the American Federation of Labor and a number of international presidents met with the leaders of farmers' organizations in March 1908. The meeting protested against the use of the injunction in labor disputes, and decried the application of the Sherman Law against labor unions. It also issued an address to the workers of America in which trade unionists and their friends were asked to hold protest meetings against the failure of Congress to grant relief to labor. The wage

two defendants were fined $500 each. These penalties were later lifted by the Supreme Court of the United States on a technicality; *Bucks' Stove and Range Co.* v. *American Federation of Labor*, 35 Wash. Law Rep. (1907); *A. F. of L.* v. *Bucks' Stove and Range Co.*, 33 App. D. C. 83 (1909); *Gompers* v. *Bucks' Stove and Range Co.*, 33 App. D. C. 516 (1909), 221 U. S. 418, 31 Sup. Ct. 492 (1911); *Gompers* v. *U. S.*, 233 U. S. 604, 34 Sup. Ct. 693 (1914). For further details of the original case see Wolman, L., *The Boycott in American Trade Unions*, Johns Hopkins Press, 1916, pp. 80–82.

[26] *Chicago Tribune*, June 29, 1913.

earners of the country were exhorted to stand by their friends and to defeat their enemies, regardless of party.[27] During the session of Congress, the Federation sought the enactment of an anti-injunction bill sponsored by Congressman Pearre and an amendment to the Sherman Law fathered by Congressman William B. Wilson. Both bills failed of enactment.[28] The next step was an appeal to the national conventions of the two leading parties.

Representatives of the Executive Council, led by President Gompers, appeared before the Resolutions Committees of both the Democratic and Republican parties, and demanded the incorporation of the following planks in their platforms: a plank recognizing the right of labor to organize; prohibition by law of the issuance of injunctions in labor disputes, when such injunction would not apply if no labor dispute existed, and in cases where there already existed a remedy through the ordinary processes of law; trial by jury in contempt cases when not committed in the presence of the court; a pledge to extend the eight-hour day to all public work, whether the laborers were employed directly or by contractors; the indorsement of an employers' liability law; and an amendment to the constitution granting woman suffrage; and lastly the creation of a department of labor, and a bureau of mines. The attitude of the Republican Party towards the demands of organized labor is evident from its plank on the injunction:

> "The Republican Party will uphold at all times the authority and integrity of the courts, state and federal, and will ever insist that their powers to enforce their process and to protect life, liberty and property shall be preserved inviolate." [29]

The Democratic Party was more hospitable. The representatives of labor were cordially received by the resolutions committee, and their demands incorporated in the platform.[30]

In the campaign, the Federation refrained from formally indorsing the Democratic Party and Bryan's candidacy, in accord with its non-partisan political policy under which political friends regardless of party were given support. Nevertheless the attack on the judicial record of the Republican candidate Judge Taft in

[27] *American Federationist*, April 1908, pp. 261–269.
[28] *Ibid.*, August 1908, pp. 590–592.
[29] *Ibid.*, August 1908, p. 599.
[30] *Ibid.*, August 1908, pp. 601–606.

connection with his decision in the Ann Arbor case of 1893,[31] gave the unionists and their sympathizers an easy cue. Gompers admitted that the election was "a bit disappointing." He maintained, however, that it had been valuable experience and pointed to the reduced Republican majority in Congress.[32]

The American Federation of Labor was more successful in the campaign of 1910. Fifteen members of trade unions were elected to Congress, and William B. Wilson, former secretary-treasurer of the United Mine Workers, was appointed chairman of the House Labor Committee.[33]

At the approach of the 1912 election, the American Federation of Labor again submitted its proposals to the leading political parties. It was again rebuffed by the Republicans and welcomed by the Democrats.[34] President Gompers urged the re-election of the 15 trade unionists in Congress, made up of 11 Democrats, three Republicans, and one Socialist.[35]

The election of President Wilson and a Democratic Congress was hailed as a great victory for labor. Aided by the changing popular mood from standpattism to progressivism, the decisive influence of the National Association of Manufacturers in the Federal government was broken. Organized labor, repelled on the economic front, was now full of expectations from its successful political *démarche.*

A telling symptom of this growing influence of labor on congressmen of both parties was the successful attachment of riders to appropriation bills prohibiting the introduction of scientific management methods into government arsenals. In 1912 a Special House Committee to investigate the Taylor and other systems of shop management reported favorably to the union's stand.[36]

In scientific management unionism saw an enemy with a technique designed to undermine its bastions and to destroy solidarity in the ranks of labor. In addition, two of the basic implications of scientific management excited the worker's rebellion. One such assumption, that the workers' stored up fund of technical knowl-

[31] *Toledo, etc., Co.* v. *Pennsylvania Co.*, 54 Fed. 730 (1893).
[32] *American Federationist*, December 1908, pp. 1064–1065.
[33] *Ibid.*, June 1912, pp. 460–464.
[34] *Ibid.*, August 1912, pp. 620–628.
[35] *Ibid.*, July 1912, p. 535.
[36] *Taylor and Other Systems of Shop Management*, House Report 403, 62d Congress, 2d Session.

edge may be of questionable value and must be subjected to a critical "time and motion" study, offended the worker's pride of craftsmanship. The other assumption, that his claim to his job must be a constantly renewable claim by conforming to the "scientifically" set standard of performance and with "seniority" left out of consideration, rendered hopeless his dream of attaining citizenship in industry. For, unionism has developed its own conception of industrial morality, in which the workers' relationship to industry and to the employer is as a group rather than as separate individuals. Under this conception the waning efficiency of the older worker, if such should be the case, is compensated by the extra efficiency of the younger worker. The union thus "collects" from the individual in his youth and "disburses" it back to him when he is past the height of his vigor, a species of old age insurance expressed in a continued right to a job, with the employer's and industry's interests presumably unaffected.

Unionism also felt, although it perhaps failed to emphasize it, that the first scientific managers, who blandly relegated collective bargaining to the garret of history as arbitrary and unscientific, actually reared their own wage structures, whether in the form of differential piece rates or of bonus percentages, on the clearly unscientific "going" or "market" rates, and that the height of the bonus or "reward wage" superstructures was likewise determined arbitrarily, by considering the unscientific but thoroughly human factor of the relative bargaining power of employer and employee. Moreover, with the "scientific" task set by time and motion study and with the worker's rate of pay determined by the former as a yardstick, the worker became automatically classifiable as to efficiency and "co-operation," through the very computation of the amount owed him in wages. Hence employers were enabled to differentiate at a glance between employees as to their relative claims to being kept on the job. Hence, too, each employee was set to compete for the job, against every other employee in his group, engendering in each a psychology that was the very opposite of the solidarity of unionism. Add to these the deep suspicion of time and motion study as a mere subterfuge for speeding-up; the fear that through such studies the employer is enabled to penetrate into the skilled workers' trade secrets and to multiply his competitors at will; the dread of heavier unemployment as a result of a more speedy using up of the ever limited job oppor-

tunities;—and the deadly opposition of unionism to scientific management becomes intelligible.

Stronger testimony of the permeation of Congress by labor's influence was the revolutionary change in the legal status of seamen by the La Follette Seamen's Act of 1915, in the teeth of the powerful shipowning interest and their patriotic appeal that the reform would drive the American flag from the seas.

The sailor was hampered by legal restrictions which made him punishable for desertion if he left his employment, and by the existence of a parasitic class, "crimps," which preyed upon and exploited the seafarer. The "crimp" was a shipping master, usually, but not always, operating a boarding house. During the eighties the "crimps" gained control of the sailor market, and shipping crews could be procured only through them. The sailor was taken into the "crimp" boarding house, and allowed to remain until a ship was found for him. He was required to sign over several months' pay to the boarding house master, which was paid by the shipowner as soon as the vessel had cleared. The payment of advance wages became a means of enslaving the sailor by debts—an equivalent of peonage—for the boarding house keeper would seek to hold him a long time, so that the sailor might run up a big board bill. The lodger, dependent upon the boarding house master for his job, would be plied with drink and kept at his lodging until he owed several months' wages. Severe laws against desertion were used to keep the sailor on the job, virtually for the benefit of the "crimp." [37] Besides leading the fight for improved economic status, the seamen's organizations were forced to struggle for the freeing of the seaman from his legal disabilities.

The seamen's struggle for legal emancipation bore its first fruit in the passage of the Maguire bill in 1895. It abolished imprisonment as a penalty for desertion from coastwise vessels, and protected seamen from the worst forms of exploitation by employment agents. However, under the decision of the United States Supreme Court in the Arago case,[38] in 1897, the seamen's legal bondage was forcefully confirmed. The seaman attempting to exercise the rights of other wage earners to quit his job before his

[37] *Coast Seamen's Journal*, July 17, 1895, pp. 1–2; July 24, 1895, pp. 1–2; July 31, 1895, pp. 1–2.

[38] *Robertson* v. *Baldwin*, 165 U. S. 287, 17 Sup. Ct. 326 (1897).

contract had expired, even if he was easily replaceable by another, made himself liable to imprisonment.[39]

In 1898, the seamen's union by assiduous lobbying put through the White Act which limited the penalty for desertion in any port of the United States, Canada, Mexico, Newfoundland, and West Indies to a forfeiture of wages earned and the loss of clothing on the vessel. It also reduced the penalty for desertion in foreign ports from three to one month of imprisonment, and prohibited corporal punishment of sailors by officers under penalty of imprisonment. Prompt payment of wages was assured and a majority of the crew, exclusive of officers, could compel a survey of the vessel to determine its seaworthiness.[40] In practice, to take advantage of the last named provision, the crew had to be unionized. No new changes were made in the seamen's status between the passage of the White Act and the enactment of the La Follette Seamen's Act in 1915. These years were barren of results through no fault of the organized seamen. In 1894, the Sailors' Union of the Pacific Coast made Andrew Furuseth their lobbyist in Washington. For the next 20 years the seamen's effort to escape bondage centered in the activities of Furuseth.

Andrew Furuseth, born in Norway in 1854, cast in his lot with the Pacific Coast sailors in 1880. In 1887 he became secretary of their union formed in 1885, and was ever since leader, champion, and officer of the organized seamen, with literally no other interest in life than breaking the chains of their bondage. Ascetic, aloof, and at times melancholic, he moved among labor leaders and congressmen as the embodiment of a flaming protest against the world's injustice to the seamen. In his labor philosophy he carried the distrust of labor protective laws, characteristic of the whole American labor movement, to its logical terminal, thereby creating upon European labor leaders whom he met at international congresses of transport workers the impression of an "anarchist." However, Furuseth's "anarchism" was the anarchism of Jefferson, not of the anarcho-syndicalists, for no other American leader excelled him in irreconcilable opposition to the Industrial Workers of the World. At the same time his pride of craftsmanship and his sailor's suspicion of all landsmen made him determined to fight to

[39] *Coast Seamen's Journal*, January 27, 1897, p. 7.

[40] *United States Statutes at Large*, Vol. 30, pp. 755–764; *Coast Seamen's Journal*, January 18, 1898, pp. 1–4, 8.

death the longshoreman's plan for an industrial union of all transport workers. In Furuseth the distinctive American labor philosophy found a complete and picturesque expression.

For many years Furuseth's lobbying was devoid of tangible results. The seamen were heavily engaged on the economic front, especially on the Great Lakes.[41] In 1911 Furuseth acquired a powerful ally in Senator Robert M. La Follette. Bills to give seamen their liberty were introduced by La Follette and by Congressman Spight in that session. Both were defeated. In 1912 the Spight-Wilson bill was enacted by Congress but pocket-vetoed by President Taft. By this time, the seamen's demands had become a leading political issue. In the campaign of 1912, Republican and Democratic platforms indorsed seamen's legislation. Upon the opening of the 1913 session of Congress, Senator La Follette introduced his Seamen's bill. The Secretaries of Labor and Commerce, in a joint opinion, approved it. The shipowners mobilized their forces, but the International Seamen's Union, aided by organized labor, made a more effective appeal to public opinion. The bill was passed by both houses and signed by President Wilson on March 4, 1915.[42]

The law went into effect on American vessels on November 4, 1915; partially on foreign vessels when in American ports on March 4, 1916; and in full force on such vessels on August 11, 1916. It abolished imprisonment for desertion in a safe harbor, and limited the penalty to forfeiture of personal effects left on board. In cases of foreign vessels no deserting seaman could be arrested and returned to his job. Seamen were granted the right to demand half of the wages earned and unpaid in ports of loading and discharging cargo. The standard of living and food allowance was raised, and the nine-hour day while in port was decreed. Seamen's wages were protected from allotment to original creditors. The owner as well as the master were made liable for failure of officers to appear for trial when charged with inflicting corporal punishment on members of the crew. The following regulations under the caption of safety measures were also job protective devices for skilled seamen as well as designed to minimize oriental competition: 65 per cent of the deck crew had to be able seamen,

[41] See Chapter XV.

[42] Albrecht, A. E., *International Seamen's Union of America, a Study of Its History and Problems*, Bulletin No. 342, United States Bureau of Labor Statistics, 1923, pp. 34–37.

and 75 per cent of the crew in each department had to be able to understand any order given by the officers; the deck crew was divided into two watches and engine crews into three. These regulations were accompanied by a limitation of the number of passengers permitted to insure their safety in case of shipwreck.[43]

In government service, however, unionism still had to fight for its right to exist. Wilson's Postmaster General, Albert S. Burleson, the "employer" of the largest group of public employees, proved its implacable enemy.

The first organizations of postal employees were local assemblies of letter carriers in the Knights of Labor, in New York, Chicago, and other cities, in the eighties. In 1890 the National Association of Letter Carriers and the National Association of Post Office Clerks were formed.[44] In 1899 the clerks' organization merged with a group which had earlier seceded and became the United National Association of Post Office Clerks.[45] In January 1902, President Theodore Roosevelt forbade government employees individually or through associations to solicit wage increases or attempt to influence legislation upon penalty of dismissal.[46] At the same time the Post Office Department showed extreme hostility to the employee unions. Hitherto these unions had kept aloof from organized labor. In 1905 several clerks' locals on their own affiliated with the American Federation of Labor. In August 1906, a new postal clerks' national union, the National Federation of Post Office Clerks, was organized and soon formally chartered by the American Federation of Labor.[47]

The railway postal clerks organized nationally in 1891, and in imitation of the railway brotherhoods stressed insurance and benefits. A more radical Brotherhood of Railway Postal Clerks, which debarred officials, came into existence in 1911. This union incurred the active hostility of the Post Office Department.[48] The official view was that the status of government employees was similar to the soldiers' in the army, and that they could conscientiously discharge their duties only if they remained independent of any class or group. Hence any exercise of pressure on

[43] *United States Statutes at Large*, Vol. 38, Part I, pp. 1164–1185.
[44] Spero, S. D., *The Labor Movement in a Government Industry*, George H. Doran Company, New York, 1924, pp. 15, 65–69, 83.
[45] *Ibid.*, pp. 89–91.
[46] *Ibid.*, pp. 97, 98.
[47] *Ibid.*, pp. 107–109.
[48] *Ibid.*, pp. 147, 167.

Congress or on Executive Departments for their own gains had to be combated in the public interest. The right to strike was, however, never demanded by these unions.

Congress listened in 1912 to another view, when it passed the Lloyd-La Follette Act granting to public employees the right of lobbying and of affiliating with organized labor.[49] In 1914 the intent of Congress, however, was partly nullified by Postmaster General Albert S. Burleson, who passionately espoused the older view. Leaders of unions were discharged or driven to resign by discrimination. Burleson's campaign drove the unions to seek protection in affiliation with the American Federation of Labor.[50] But it was not until Burleson had left office that the unions were permitted to enjoy the rights that the Lloyd-La Follette Act had bestowed upon them and were given "recognition" besides.[51]

Labor's political influence was also evident in the authorization by Congress of the United States Commission on Industrial Relations to investigate labor unrest. At the time, organized labor was in public disfavor, as a result of the dynamiting of the *Los Angeles Times* building by officers of the structural iron workers' union.[52] The public hearings conducted and managed by the able and versatile chairman, Frank P. Walsh, of Kansas City, with a particular eye for publicity, centering as they did around the Colorado mine outrages,[53] served to popularize the trade union cause from one end of the country to the other. The staff report, signed by the chairman and the three labor members, proposed trade unionism as the paramount remedy for the industrial ills of the country. The immediate practical effects of the Commission were *nil*, but their agitational value can be scarcely overestimated. For the first time in American history, the employing class was arrayed as a defendant before the bar of public opinion. The record of injustice, misery, and privation described by the testimony tended to allay the notion that labor was an oppressive aggressor. What was most important was that for the first time a government commission raised the trade union movement to the dignity of a fundamental and indispensable national institution.

Another "gain" made in 1914 but later reduced to its real dimensions by the courts, was the passage of the Clayton Act. As said above, the labor leaders were in a state of mind which made

[49] *Ibid.*, pp. 172–173.
[50] *Ibid.*, pp. 231–233.
[51] *Ibid.*, pp. 244–247.
[52] See Chapter XXVI.
[53] See Chapter XXVII.

it imperative for them to convince themselves and their following that it was in their power to obtain emancipation from their legal disabilities. Hence, while their efforts to get unquestionable results cannot be doubted, their eagerness tended to undermine their critical judgment. The Clayton Act began with the already cited declaration that "The labor of a human being is not a commodity or article of commerce," and specified that labor organizations shall not be construed as illegal combinations or conspiracies in restraint of trade under Federal anti-trust laws. It further prescribed the procedure in connection with the issuance of injunctions in labor disputes, limited the effectiveness of temporary injunctions, making notice obligatory to persons about to be enjoined, and limited the power of the courts in contempt proceedings. The most important section of the Act relating to labor disputes forbade the issuances of injunctions prohibiting persons, singly or in concert, from terminating their employment, or from peacefully persuading others to terminate their employment; or from paying strike benefits; or from peacefully assembling; or from doing anything which might lawfully be done in the absence of such dispute.[54] The Federation leadership continued to acclaim the Act as labor's Magna Charta, but already in 1917, with the decision by a lower court in the Duplex Printing Press Company case, labor might have realized that in substance the Act had made no change in the antecedent conspiracy doctrine, since by retaining the terms "peacefully" and "lawfully" the tests of the legality of an act by a union were unaltered.

The Duplex Printing Press Company with a plant in Battle Creek, Michigan, was one of the three manufacturers of newspaper presses in the country. In 1913 it refused to continue to deal with the machinists' union and changed from the eight-hour day to a ten-hour basis in most of its departments. The two other companies notified the union that unless it succeeded in bringing the Duplex Company back under union regulations they would be forced to sever relations. The union called a strike and instructed its members and those of other unions to refuse to install and to service the Duplex presses. The Company applied to the District Court for the Southern District of New York for an injunction charging the union with an illegal combination to monopolize the machinists' trade through the country. The union rested its case

[54] *United States Statutes at Large*, Vol. 38, p. 780; Berman, *op. cit.*, pp. 99–103.

on the immunities granted to organized labor in the Clayton Act. In April 1917 Judge Manton denied the petition under the Clayton Act and was upheld by the Circuit Court of Appeals.[55] On January 3, 1921, the United States Supreme Court by a vote of six to three reversed the judgment of the lower courts and held the machinists' boycott an unlawful secondary boycott. The court held that the terms "employer and employees" in the Clayton Act restricted its benefits to those immediately involved in the dispute, and not to the national union which undertakes to bring the employer to terms by causing its out-of-town members to refuse to set up his products.[56]

[55] *Duplex Printing Press Company* v. *Deering* et al., 247 Fed. 192, 252 Fed. 722.

[56] *Duplex Printing Press Company* v. *Deering* et al., 254 U. S. 443; Berman, *op. cit.*, pp. 99ff. The principle in the Duplex case decision was followed by the decision in the Bedford Cut Stone Company case, handed down in 1927. The Supreme Court upheld an injunction against the stone cutters' union prohibiting its members engaged in construction work from setting stone quarried by non-union men. The decision was made under the Sherman Act, although it was established that no attempt was made to influence others than union members. (*Bedford Cut Stone Company* v. *Journeymen Stone Cutters' Association*, 274 U. S. 37, 47 Sup. Ct. 522; Witte, *op. cit.*, pp. 72–73, 117.)

First

SECTION II

PROTO-FASCISM AND REVOLUTIONISM

CHAPTER XVII

FRONTIER ACTIVISM AS CLASS WAR

The violent industrial struggles in the mining regions of the West during the quarter century after 1890 show a picture of class war as conceived by Marx. Yet this development, apparently confirming Marx's analysis of the basic antagonisms in capitalism, came, surprisingly enough, not in the citadel of American industrial and financial capitalism but on the Western frontier. In reality it was a class war without a class war ideology. The completeness of the class alignment—labor in one camp, the employers in another, no in-between camp, with government a football between the two—did not result from a completed process of social polarization, the middle groups having become attached to either pole, but from an absence of such middle groups to begin with. Subsequently, when farmers and others came to settle in these regions, the neatness of the class division disappeared and was replaced by the normal American blurredness of class lines. Then the labor movement, too, conformed to the normal American pattern. This, however, did not come until 1910.

The extremes of violence in these labor struggles proceeded from no theory of revolution but from the general characteristics of the frontier. Western miners were not wont to remain passive while their jobs were being given to strikebreakers. They defended their jobs with Winchester rifles and dynamite. The employers, Westerners like their employees, were even "quicker on the trigger." Armed guards and armed strikebreakers were mustered in as armies. Civil processes and "due process of law" were ignored and were replaced by "bull pens" and forcible deportations—the paraphernalia of dictatorship.

In 1882 gold was discovered in the Cœur d'Alene district in Idaho. The region became a beehive of fortune-hungry miners lured by the reports of gold. The gold seekers spread in every direction, and deposits of lead and silver of enormously greater value than the gold deposits were discovered.[1]

[1] Harriman, Job, *The Class War in Idaho*, pamphlet, New York, Labor Publishing Association, 1900.

Four or five years later there were about 1000 men employed in the vicinity. The leading employer was the Bunker Hill and Sullivan Company at Wardner. In 1887, this Company reduced wages from $3.50 to $2.50 a day, causing a walkout which compelled the restoration of the old wages. This strike was the occasion of the first union in the district. Other local unions arose in the surrounding mining towns. The first attempted federation of the miners' unions, the Miners' Union of the Cœur d'Alene, was for the purpose of joint operation of a miners' hospital at Wallace, Idaho, to free the miners of the compulsory contribution to company owned hospitals.

In 1891 the miners faced the machinery issue. A man operating a machine drill was able to perform the labor of five hand drill miners. This meant that many of the drillers became shovelmen and their wages were automatically reduced fifty cents a day. The unions demanded $3.50 a day for all underground men and met with immediate success. However, the Sullivan and Bunker Hill mine held out for three days.[2]

The miners' move had evidently taken the employers by surprise. The owners, large and small, decided to follow their employees' example and organized a Miners' Protective Association. Three months later every mine in the district was shut down. The employers denied that it was a lockout to destroy the unions and named the exorbitant freight charges as the cause of the shutdown. However, when the shutdown had lasted two months, the association offered to reopen the mines on condition that the men accept a wage of $2.50 a day. The offer was quickly rejected and a labor dispute of serious magnitude and unusual violence ensued.[3] Imported strikebreakers were induced to leave voluntarily or expelled at the point of a rifle. The miners in their determination to hold strikebreakers away from their jobs equally ignored a Federal court injunction and the governor's proclamation.[4] The Governor, led by the advice of his official observer, the general of the state militia, was eager to send troops, but was held back by public protest in the strike area. Thereupon the companies employed private guards. On July 10, an altercation and a fist fight between a guard and a striker set off a rumor that union

[2] *Ibid.*

[3] *Ibid.*

[4] French, George Edgar, "The Cœur d'Alene Riots," *Overland Monthly*, July 1895, pp. 33–34.

men had been killed by company guards, and armed miners poured into the town of Gem. Difficulties were temporarily averted, but the following day a union miner was actually killed by the guards. The aroused miners attacked the Frisco mill and barracks, which housed the guards, but were repelled. In the midst of the fighting, the penstock, an open conduit carrying water to the mill, had been left unguarded. Some of the miners sent two fifty pound boxes of dynamite down into the mill, and blew it up with one employee killed and twenty wounded.[5] The Gem mill was next attacked. The company guards resisted and five of the attackers were killed and 14 wounded. Nevertheless, the mill was forced to surrender. The guards gave up their arms and agreed to leave the county. About 400 of the miners, armed with Winchesters, then proceeded to Wardner and demanded that all of the non-union men be discharged. About 280 non-union miners actually were discharged by the Bunker Hill mine and forced to leave the county.[6] But the miners' victory was shortlived. The Governor, admitting failure to maintain order unaided, requested the Secretary of War for the aid of Federal troops, after ordering the entire Idaho National Guard to the scene of the trouble. The War Department dispatched General Carlin to the Cœur d'Alene and he promptly restored order.[7] All men were ordered to surrender their arms and the deported strikebreakers were brought back and returned to work.[8]

The General now began a punitive campaign against the miners' union. All known union men were arrested. A "bull pen" or stockade was built and the union men lodged in this improvised prison.[9] The commander of the state militia removed from office the local officials sympathetic to the strikers and replaced them with persons willing to carry out his orders. The entire district was treated as a military zone. All trains were searched and passengers lacking military passes were summarily removed.[10]

Several hundred miners were imprisoned in the hastily erected bull pens. The prisoners were starved and ill treated. Eighty-five of the prisoners including Ed Boyce, the future President of the

[5] *Industrial Commission*, Vol. XII, p. 490.
[6] *Ibid.*
[7] *Chicago Tribune*, July 15, 1892.
[8] French, *op. cit.*, p. 40.
[9] *Chicago Tribune*, July 16, 1892.
[10] French, *op. cit.*, p. 41; *Chicago Tribune*, July 16, 1892.

Western Federation of Miners, were taken to Wallace and charged with contempt of court. Twelve of the defendants were found guilty and sentenced to terms varying from four to eight months, in the Ada county jail.[11] It was in this prison that the plans for the organization of the Western Federation of Miners were formulated.

The military virtually took over the task of installing the open shop. It compelled the firing of active union men. It prohibited the Tobger-Poorman mine from employing known union men.[12] In addition to the prisoners lodged in jail for contempt of court, 30 others were held for trial before the United States District Court at Cœur d'Alene, on charges of conspiracy. Of these 15, including the attorney for the miners' union and George A. Pettibone, fifteen years later charged with Moyer and Haywood with the murder of ex-Governor Steunenberg, were tried before the United States District Court. Four were convicted, but they were later released by the United States Supreme Court. Two were tried for murder and acquitted.[13] The remaining prisoners, numbering about 200 were released from the bull pen.

Notwithstanding the suppression by the military it was not long before the miners had forced their terms upon all employers in Cœur d'Alene, except the Bunker Hill and Sullivan.[14] The refusal of this Company to accept the conditions of the union become a constant source of irritation and trouble, and eventually led to the more bitter and spectacular strike of 1899. The strike of 1892 also led the Populist legislature of Idaho to refuse to appropriate funds for the National Guard.[15] This was equivalent to its abolition.

After the release of the miners' leaders from the Ada county jail, a convention of 40 delegates from the metal mining camps of Colorado, Montana, Idaho, and South Dakota met in Butte, Montana, and on May 15, 1893, the Western Federation of Miners was formed. The organization sought to organize mill men, smelter men, and engineers.[16]

This union, the most militant in the history of the United

[11] French, *op. cit.*, p. 42.
[12] *Ibid.*, p. 44.
[13] *Ibid.*, p. 47.
[14] *Miners' Magazine*, October 15, 1903, p. 10.
[15] French, *op. cit.*, p. 48.
[16] *A Report on Labor Disturbances in the State of Colorado from 1880 to 1904, Inclusive*, Senate Document No. 122, 58th Congress, 3d Session, Washington, 1905, pp. 35, 36.

States, and destined to engage in some of the bitterest labor wars, did not begin with a revolutionary program. Its first preamble lacked the customary eloquence of many of the revolutionary labor groups. Rather it modestly announced that it would seek to secure for the metal miner "an earning fully compatible with the dangers of the employment" and payment in lawful money instead of in company scrip. Other objectives were safety laws, the prohibition of child labor, and a clause against the employment of private guards around the mines.

Like the typical American unions of the period, it was job conscious and, instead of dreaming of either self-employment through co-operation, the dream of the Knights of Labor, or of socialism, it announced to the world that it sought to maintain friendly relations with the employer, preferring voluntary arbitration and conciliation to strikes. This union thus began as a purely job protective organization.[17]

The seats of the most hard fought struggles of the Western miners, alongside of Cœur d'Alene, were the Cripple Creek [18] and Telluride districts of Colorado.

Gold was discovered in the Cripple Creek district in 1891. Two years later, the district was dotted with towns and mining camps with Cripple Creek as the local metropolis.[19]

Not all of the arrivals struck pay dirt.[20] Many were obliged to hire for wages to the lucky ones. The depression of 1893 brought men into the district only to discover that employers in the "boom country" did not differ markedly from those elsewhere. Local 19 of the Western Federation of Miners was organized in Cripple Creek in January 1893, and the first labor conflict was on the issue of hours.[21]

In August 1893, the temporary manager of one of the mines tried to raise the working day from eight to nine hours. He was soon persuaded to let well enough alone when a delegation of miners threatened to send him towards Colorado Springs on foot.

[17] Western Federation of Miners, *Nineteenth Annual Convention*, 1911, pp. 25–26.

[18] The authors are indebted to Dr. Leon W. Fuller of Leland Stanford University for permission to use his notes on the Cripple Creek strike of 1894, including notes on the material in the archives of the State of Colorado.

[19] *Official Cripple Creek District Up to Date*, Pamphlet, Cripple Creek, Colorado, 1896.

[20] Warman, C., "The Story of Cripple Creek," *Review of Reviews*, February 1896, pp. 161–166.

[21] *Cripple Creek Crusher*, January 27, 1893.

There were, however, several mines, the Victor being the most important, which worked nine hours.[22] Some mines even operated on a ten-hour basis, but these were not disturbed at the time.

Shortly after, the Isabella Company which operated three mines made the same attempt. A strike followed and a general meeting of miners stepped in and threatened dire consequences. The order was canceled.[23] On January 17, 1894, five of the leading mines announced a nine-hour schedule. The miners' union stood adamant. A few of the business leaders intervened and sought to arrange a conference between miners and mine managers. Local business men were unable to induce the companies to accept mediation. On February 1, 1894, all of the men employed on nine- and ten-hour shifts left their jobs. The conflict now became general. The companies were willing to grant eight hours but with a 50-cent cut in the daily rate.[24]

The strike, or lockout, as it was called by the miners and sympathizers, affected the largest mines. Two-thirds of the mines were, however, operating on an eight-hour basis and were temporarily undisturbed. A court injunction against the strikers failed to produce results. The union levied a 10 per cent assessment upon the miners working in eight-hour mines. Money also came in from unions in other districts and local business men likewise gave aid. The operators appealed to the sheriff who sent a number of deputies to the village of Altman, the seat of the trouble. On their way to Altman, the deputies were met by the police officers of the village, who compelled them to surrender their arms. A resisting deputy was wounded and the others were arrested for carrying concealed weapons. They were later released.[25] The enraged sheriff demanded that Governor Waite, elected as a Populist, send the militia, and deputized 50 special sheriffs at Colorado Springs.[26] The Governor reluctantly complied with the request.[27] Citizens and town officials protested the sending of the troops as unnecessary. The Governor explained that he had been informed

[22] *Colorado Springs Gazette*, August 22, 1893.

[23] *Cripple Creek Crusher*, August 25, 1893.

[24] State of Colorado Bureau of Labor Statistics, *Fourth Biennial Report*, 1893–94, p. 241.

[25] Rastall, Benjamin McKee, *The Labor History of the Cripple Creek District*, Bulletin of University of Wisconsin, Madison, 1908, pp. 26–27.

[26] State of Colorado, *Biennial Report of Adjutant General*, 1893–94, pp. 37–38.

[27] *Official Telegram Concerning Cripple Creek Strike*, in the State archives of Colorado.

by the sheriff of the killing of a deputy. Adjutant General Tarsney who came with the troops, reflecting the Governor's attitude, was unimpressed by the dark picture painted by the operators.[28] He agreed, however, to use his troops to aid in the serving of warrants upon miners charged with illegal acts. The miners were encamped on Bull Hill. The sheriff hastily secured warrants for the arrest of eighteen. But the Adjutant General had, in the meantime, discovered, in conference with the leaders of the miners, that no interference was being offered to the serving of warrants.[29] He therefore refused to lend his aid. The accused men voluntarily surrendered. Subsequently one was tried and acquitted; the others were released without trial.[30] Governor Waite also appointed three members of the Pueblo Trades Assembly to investigate the Cripple Creek strike. They wired to him that everything was quiet and that the troops should be withdrawn.[31] This coincided with the recommendation of Adjutant General Tarsney. The Governor stated that the troops were there "on a lying representation and they shall come home." [32] The troops were withdrawn.[33]

Towards the end of March, W. S. Stratton, the owner of one of the largest mines, the Independence mine, which was not a member of the mine owners' combination, conferred with the president of the miners' union and proposed as a compromise a nine-hour day at $3.25 or an eight-hour day at $3.00. Both union and non-union men were to be employed. The union accepted by a two-thirds vote.[34] The mine owners were divided and the compromise failed.[35]

In the meantime the county officers were showing great severity. The bail fixed for the arrested miners made it impossible for the union to secure their release. Company guards were also becoming arrogant and aggressive.[36] The situation was rapidly reaching a serious turn.[37]

Another effort at arbitration on the initiative of the Governor

[28] *Report on Labor Disturbances in Colorado*, pp. 76, 77.
[29] Rastall, *op. cit.*, pp. 28–29.
[30] State of Colorado, *Biennial Report of Adjutant General*, 1893–94, pp. 38–40.
[31] *Official Telegram Concerning Cripple Creek Strike.*
[32] *Denver Republican*, March 20, 1894.
[33] *Colorado Springs Gazette*, March 21, 1894.
[34] *Cripple Creek Crusher*, March 23, 1894.
[35] *Colorado Springs Gazette*, March 25, 1894.
[36] *Ibid.*
[37] *Denver News*, April 2, 1894.

failed.[38] The miners' patience was rapidly being exhausted. The rough mistreatment of an undercover agent who tried to address a miners' meeting in favor of returning to work was one of the first violent incidents.[39] In the meantime the employers were mobilizing a private army of deputies to the considerable number of 1200 including a cavalry division of 300.[40]

Hostilities began by an attack on the Strong mine by the strikers. The guards surrendered, gave up their arms and ammunition, and the Strong mine was dynamited. In the meantime the deputies who had been massed around Colorado Springs were preparing to advance and capture Bull Hill, the miners' encampment, by surprise. The miners learned of the planned maneuver and advanced on the Cripple Creek and Florence Railway to meet them. At a point near Victor the miners met the advance guard of the deputies' army. A skirmish took place and the deputies retreated, leaving two dead in their tracks.[41]

Upon hearing of the encounter in Cripple Creek, Governor Waite issued a proclamation ordering the strikers to end their resistance to the law and cease assembling in unlawful bodies. However, he declared that the recruiting of an army of deputy sheriffs was illegal and ordered them to disperse.[42] The sheriff refused to carry out the order and a clash seemed imminent. Governor Waite left for the scene of the trouble in a special train. Arriving at Altman, he met the miners' leaders. The strikers placed their case in the hands of the Governor and, accompanied by one of the leaders, he met the operators.[43] He met them again on June 2 and presented the miners' demands for $3.00 for eight hours, the closed shop and that all prosecutions growing out of the strike to be dropped. The operators, after some hesitation, refused.[44]

News of the civil war in the Cripple Creek district spread to other Colorado mining camps. Armed men assembled ready to rush to the aid of their fellows. At Rico 100 armed men seized a train and proceeded 100 miles, when a telegram from the

[38] *Cripple Creek Crusher*, March 23, 1894.
[39] *Colorado Springs Gazette*, April 11, 1894.
[40] Statement of John Calderwood, president of Miners' Union in the Cripple Creek district of Altman. Langdon, Emma, *The Cripple Creek Strike*, Victor, Colorado, 1904, p. 35.
[41] State of Colorado Bureau of Labor Statistics, *Fourth Biennial Report*, p. 243.
[42] *Report on Labor Disturbances in Colorado*, p. 79.
[43] Langdon, *op. cit.*, p. 39.
[44] Rastall, *op. cit.*, pp. 25–30.

Governor reached them ordering them to disperse and return to their homes.[45] The Governor was also informed that 200 miners from Leadville were on the march. He strongly urged the miners to keep a cool head. "Nothing can be gained by you by a battle, but much can be won if you but wait." [46]

The Governor continued his attempts to settle the dispute as the miners' representative. On June 4, he appeared to have succeeded. A compromise accepted by all operators except a group in Colorado Springs granted a three-dollar wage for eight hours of actual work and a pledge of no discrimination.[47]

Here, however, the situation became enriched by an episode reminiscent of the era of the Italian *condottieri.* The sheriff's army of 1200 was not yet ready for peace. It began advancing towards the strikers' camp with the intention of attacking it. On June 4, the Governor again ordered out all of the National Guard and ordered all persons "to cease any and all acts tending to promote civil war." [48] The situation looked ominous. The miners were willing enough to accept the terms of the Governor's agreement, but they were unwilling to allow the armed deputies to enter their camp. However, they had no objection to surrendering to the state militia.[49] The Governor appealed to the sheriff to prevent his army from advancing, as it threatened bloodshed. The advance, however, began, the sheriff claiming that his army was out of hand.[50]

The situation having reached a critical turn, the Governor ordered the state troops to take up a position between the strikers and the army of deputies.[51] Still the deputies' army attempted to advance on June 8 towards the miners' encampment at Bull Hill. General Brooks of the state militia ran after the advancing army hoping to stop it, but was curtly informed that the sheriff had lost control of his followers. However, a threat that the militia would open fire in fifteen minutes unless they turned back made them obey the command. The sheriff protested the action of the General as interference with law enforcement, demanding either withdrawal of the troops, or that they be placed under his command.[52] It goes

[45] *Biennial Report of Adjutant General*, 1893–94, pp. 42–43.
[46] *Denver Republican*, June 7, 1894.
[47] *Report on Labor Disturbances in Colorado*, p. 80.
[48] *Biennial Report of Adjutant General*, 1893–94, pp. 44–45.
[49] *Colorado Springs Gazette*, June 6, 1894.
[50] *Official Telegram on Cripple Creek Strike.*
[51] *Colorado Springs Gazette*, June 8, 1894.
[52] *Biennial Report of Adjutant General*, 1893–94, pp. 47–51.

without saying that the Governor refused to take orders from a subordinate. In the meantime the Governor advised the Adjutant General to accept the surrender of the miners but not to disarm them. They were to be protected by placing a cordon of troops around them.[53] The rebellious army of deputies continued to tarry in belligerent array. The strikers, on the contrary, willingly surrendered to the state authorities. The deputies were again warned that any hostile move against the miners would mean an attack by the militia.[54] On June 9, the deputies gave vent to their rage by entering Cripple Creek and subjecting it to a reign of terror for several hours.[55]

In the midst of the impending war, efforts had continued to bring the irreconcilable operators of Colorado Springs to accept the peace settlement. On June 10, 1894, the final peace settlement was made between all the operators and the Adjutant General. An agreement was made for the immediate withdrawal of the deputies. The mines were to be restored to the owners and the militia was to extend equal protection to the mines and the miners. The sheriff was placated by being allowed to serve warrants on the strikers who broke the law. The agreement was approved by Governor Waite.[56]

The deputies were finally dispersed, but the affair had a lengthy aftermath in the courts. One of the defendants was convicted of robbery, but later released by the State Supreme Court. Two others were convicted of blowing up the Strong mine, but also released after a short imprisonment. Adjutant General Tarsney, by profession a lawyer, defended some of the strikers before the district court at Colorado Springs. During the trial, he was kidnaped, beaten, and tarred and feathered by unknown persons.[57]

The Cripple Creek strike of 1894 combined all the essential features of the class war which gripped the inter-mountain states from the nineties to the middle of the first decade of the present century. In this strike in the two-class society of the mining state of Colorado, the Governor sided with labor, and the officials of the county, with Colorado Springs simultaneously the county seat and the stronghold of the most belligerent operators, fought the battles of the employers. In the next episode of the Colorado class war, in

[53] *Ibid.*, pp. 49–50.
[54] *Cripple Creek Weekly Journal*, June 10, 1894.
[55] *Biennial Report of Adjutant General*, 1893–94, p. 51.
[56] *Colorado Springs Gazette*, June 11, 1894.
[57] *Report on Labor Disturbances in Colorado*, pp. 84–85.

Leadville, the government was preponderantly on one side—the side of the employers.

Leadville was the scene of the first outburst of class warfare in which the elements of what would now be described as fascist tactics were clearly apparent.

The first large carbonate deposits of silver, lead, and iron ores were discovered around Leadville in 1876. The settlement grew rapidly, reaching a population of 25,000 in 1880.[58] In 1879 the miners were organized. A year later they presented demands which were refused. About 3000 miners walked out.[59] The strikers held the usual public meetings and parades. The companies, afraid of violence, employed armed guards. The union, which had given a pledge to avoid violence, saw in it a sheer act of provocation. The companies went further and inspired the formation of a semi-military organization of citizens, the Committee of Five Hundred. This was a forerunner of the Citizens' Alliances which were to play a decisive rôle in future labor troubles. The Committee urged the business men of the community to disperse the strikers by force, and Governor Pitkin furnished it with several cases of rifles and ammunition.[60]

On June 13, 1880, the Committee informed the Governor of a danger of bloodshed, and requested troops. The senior major-general was immediately sent to Leadville, martial law was declared, and 16 companies of volunteer troops were enrolled for service. The strikers and their sympathizers were handled with a high hand. A number were ordered out of the county, including the editor of the local miners' journal and three members of the local typographical union. The strike collapsed.[61]

After the defeat in 1880 the miners' union of Leadville went out of existence. In the eighties and early nineties the Knights of Labor had mixed assemblies in Leadville.[62]

In 1893 the silver producers of the United States experienced a severe crisis. The mines and smelters in Leadville were shut down.[63] During July and August some mines partially reopened, but the larger mines were waiting for a wage readjustment. The

[58] State of Colorado, *Biennial Report of Bureau of Labor Statistics*, 1895–96, p. 66.
[59] *A Report on Labor Disturbances in the State of Colorado*, pp. 69–70.
[60] *Ibid.*, pp. 70–72.
[61] *Ibid.*, pp. 72–74.
[62] State of Colorado, *Biennial Report of Bureau of Labor Statistics*, 1895–96, p. 67.
[63] *Ibid.*, p. 67.

larger producers asked the Knights of Labor assembly to a conference. It was agreed that all miners and others employed underground would receive a wage calculated on the average monthly price of silver, ranging from $2.50 to $3.00 per day.[64]

The Knights of Labor gradually lost its following in Leadville. After the Cripple Creek strike of 1894, the prestige and influence of the Western Federation of Miners grew throughout the mining camps of the West. In May 1895, the Western Federation entered Leadville and organized Cloud City Miners' Union No. 33. The union grew rapidly.

A year later the union sought an increase of 50 cents per day. This demand was made on May 25, 1896, by a committee which included Ed Boyce, President of the Western Federation of Miners. All the managers interviewed refused the request.[65] Upon a second refusal, a month later, a meeting of 1200 miners overwhelmingly decided to call a strike immediately.[66] The strike order was obeyed. The managers entered into an iron clad agreement not to reopen until the majority had agreed and to present a common front.[67] By June 22 all of the large Leadville mines, employing about 2500 men, were shut down. The Governor sent a deputy labor commissioner to attempt mediation. The companies were willing to arbitrate, but the union refused.[68]

The operators sought to hold the miners to the agreement of 1893 made with the Knights of Labor, but the miners refused to recognize its validity, claiming that it had been negotiated by doctors, dentists, and business men, not by miners.[69] The operators made a final offer promising to pay the $3.00 wage as soon as silver had reached 75 cents an ounce.[70] The strike had been peaceful, but the union had made preparations for any eventuality, including the distribution of rifles and ammunition.[71]

The employers began to import strikebreakers. These were met by union committees and the majority turned back.[72] As the strike

[64] *Report on Labor Disturbances in Colorado*, p. 86.
[65] State of Colorado, *Biennial Report of Bureau of Labor Statistics*, 1895–96, p. 69.
[66] *Report on Labor Disturbances in Colorado*, p. 87.
[67] *Ibid.*, pp. 87–88.
[68] State of Colorado, *Biennial Report of Bureau of Labor Statistics*, 1895–96, pp. 70–73.
[69] *Ibid.*, pp. 75–77.
[70] *Ibid.*, p. 80.
[71] "Report of Legislative Committee Investigating Leadville Riot," *Report on Labor Disturbances in Colorado*, p. 96.
[72] *Ibid.*, p. 89.

proceeded tempers rose. Beatings of strikebreakers occurred at frequent intervals.[73] The sheriff was friendly to the strikers, and quieted the fears of the Governor on the score of violence. He, however, issued a proclamation against the practice of forcibly deporting strikebreakers and offered rewards for information about lawlessness.[74]

The miners' union added its voice against violence.[75] It further made the unusual offer to take over and operate the downtown mines, paying the owners a 25 per cent royalty. Apparently this was designed to demonstrate to the business community that the union appreciated the importance of keeping the mines and smelters operating.[76] The operators rejected the proposal. A few of the mines, including the Coronado mine within the town limits, finally decided to resume operation with non-union men at the old rate of $2.50 a day.[77] This led to an outburst of violence.

About 12:30 A. M. of September 21, 1896, signs of unusual activity appeared around the Coronado mine. The occupants of the houses surrounding the mine were awakened by groups of three or four and ordered to take their possessions and leave the vicinity. A half hour later the first explosion was heard. A huge oil tank exploded. Another deafening explosion destroyed the wooden structure and the high frame surrounding the mine. Volley after volley of shot was poured into the buildings within the enclosure. The flowing oil was ignited by fuses and a general conflagration ensued. The strikebreakers at first attempted resistance but were routed by the flames and managed to escape. The fire department was prevented from putting the fire out. A zealous fireman was mortally wounded.[78]

After the destruction of the Coronado, the band moved on the Emmet mine. This mine, however, warned in advance, had made preparations and repelled the attackers.[79] The fatalities numbered five, four members of the union and the city fireman.[80]

During the night the sheriff and Judge Owers telegraphed to the Governor for troops. The Governor ordered the National Guard to proceed, but pending their arrival several hundred busi-

[73] *Ibid.*, p. 99.
[74] State of Colorado, *Biennial Report of Bureau of Labor Statistics*, 1895–96, p. 82.
[75] *Rocky Mountain News*, September 17, 1896.
[76] *Ibid.*, September 16, 1896.
[77] *Ibid.*, September 17, 1896.
[78] *Ibid.*, September 22, 1896.
[79] *Ibid.*, September 22, 1896.
[80] *Ibid.*, September 22, 1896.

ness men organized to restore order.[81] On September 22, Leadville was under military occupation. Ten companies of infantry, one troop of cavalry, and a battery of four field pieces comprised the military forces. The business men's corps numbered 350 armed citizens. The strikers loudly resented the presence of the troops.[82]

A special grand jury was impaneled and 27 members of the miners' union, including the officers and the members of the Executive Board and Ed Boyce, the President of the Western Federation of Miners, who had arrived in town after the attack, were arrested and charged with inciting to riot.[83] The mine owners reopened their properties with imported labor under the protection of troops. Strikebreakers from Joplin, Missouri, were brought in *en masse*.[84]

The miners held a meeting attended by more than 1000 and were addressed by Boyce, their attorney, and the Adjutant General.[85] They determined to stand firm on their original demand of a $3.00 wage.[86] The companies began to fortify and fence in their properties, presaging resumption of operations with strikebreakers.[87] Still the union held out. Local business men attempted to induce both sides to agree to arbitration. The operators refused.[88] On October 10, the miners' union ordered out the engineers, pumpmen, and firemen in mines employing non-union men.[89]

The operators hit upon a novel way of lending their strikebreakers status. All men thus hired were obliged to take an oath of allegiance to the Constitution of the State and were sworn in as members of the National Guard. One hundred seventy-five non-union employees of the Obex mine were thus enlisted *en masse* by the Adjutant General. The manager of this property announced that he would not employ anyone unwilling to defend the Company property with a rifle. The other companies planned to follow his example.[90]

The leaders of the Colorado labor movement protested to Governor McIntire against the practice of organizing strikebreakers into militia units. The Governor announced that the military commander had erred in permitting this practice, and promised its immediate discontinuance.[91]

[81] *Ibid.*, September 21, 1896.
[82] *Ibid.*, September 23, 1896.
[83] *Ibid.*, September 24, 1896.
[84] *Ibid.*, September 25, 1896.
[85] *Ibid.*, September 27, 1896.
[86] *Ibid.*, September 28, 1896.
[87] *Ibid.*, October 2, 1896.
[88] *Ibid.*, October 7, 1896.
[89] *Ibid.*, October 11, 1896.
[90] *Ibid.*, October 11, 1896.
[91] *Ibid.*, October 16, 1896.

A last effort to end the strike was now made by the Governor. After conferring with the leaders of the union, he informed the mine owners that the strike could be ended if they promised not to discriminate against union members. The operators, having succeeded in bringing in a large number of non-union men, refused to make this concession.[92]

More strikebreakers were gradually brought in and the mines were approaching normal output. Towards the end of October, the State was willing to dismiss the charges against the union miners, but the defense objected feeling that the men should be vindicated by a jury. The State admitted that it lacked evidence.[93] More efforts at a settlement followed—by the new governor, Alva Adams, and by Ed Boyce and Eugene V. Debs. They were unavailing. Gradually the more foot loose amongst the miners departed from Leadville for other camps. By February 1897 most of the union miners had returned to work on the mine owners' terms, and the strike had practically ended.[94]

In the next three years the Western Federation of Miners became established as a going concern in the inter-mountain states. No longer was it a loose association of fighting unions acting on their own, with the aid of a consultative general staff, but a well-disciplined fighting army. The scene of the next big conflict was transferred back to Cœur d'Alene, where, as was seen, the conflict of 1892 had brought the Federation into existence. In 1893, the aggressive Bunker Hill and Sullivan Company again clashed with the union, but it finally agreed to pay the scale and give preference to union men. The agreement, however, was soon abrogated by the Company on the issue of the union shop.[95]

In 1894, the Bunker Hill and Sullivan mine reduced wages, and, anticipating trouble, it organized its employees into companies of militia. The men were supplied with guns and ammunition by the State. In November 1894, the miners' union of Wardner demanded that the wages of all underground men be increased to $3.50 per day. The Company refused and suspended operations. The mine remained closed until June 1895 when operations were resumed, the Company paying $2.50 a day for mine laborers and $3.00 a day for miners with a promise of an increase as soon as lead and silver

[92] *Ibid.*, October 15, 1896.
[93] *Ibid.*, October 20, 1896.
[94] *Report on Labor Disturbances in Colorado*, p. 101.
[95] *Industrial Commission*, Vol. XII, p. lxxxvii.

increased in price.[96] Both union and non-union men were employed. Shortly thereafter all known union men were discharged and undercover men used to detect all others. The union replied by violent reprisals against suspected spies.[97]

The anti-union policy of the Bunker Hill and Sullivan Company became a serious threat to unionism in the whole region. The operators who paid the union scale demanded that the union take measures to protect them from that low wage competitor. In the spring of 1899, Wardner, Idaho, was visited by Ed Boyce, and a campaign for the organization of the non-union mine began. After several efforts frustrated by the Company's watchfulness, the union finally succeeded in organizing about 250 men.[98] Feeling confident, the union next notified all employees to join the union forthwith and, on April 23, a committee formally demanded that the Company fully comply with the terms observed by its competitors, including full recognition of the union.[99] The union girded for action. The other locals in the Cœur d'Alene region agreed to tax themselves $1.00 a day for every man working, to aid the miners at Wardner.[100] The Company took cognizance of the altered situation by agreeing to increase wages, but on the matter of union recognition it remained adamant.[101]

A strike was called. Following a few uneventful days, on April 29, early in the morning, a group of miners took possession of a Northern Pacific train at Burke, Idaho. The engineer was ordered to run to Gem, the next station. There a large group joined, and, at a stop outside the station, 60 fifty-pound boxes of dynamite were loaded on the train. The train proceeded to Wallace, where additional numbers boarded it. At this point the engineer was ordered to switch his train to the Oregon and Northern Railroad track, and proceed to Wardner. He obeyed. At Wardner about 1000 men in all, 300 of whom carried Winchester rifles and were masked, got off the train, and marched to the Bunker Hill and Sullivan mine.[102]

At 2:30 in the afternoon, having put to flight the guards and

[96] *Ibid.*, Vol. VII, p. lxxxv.
[97] Hutton, Mary A., *The Cœur d'Alene Riots*, App-Stott Company, Denver, 1900, p. 84.
[98] *Miners' Magazine*, October 29, 1903, p. 9.
[99] *Industrial Commission*, Vol. XII, p. 442.
[100] *Miners' Magazine*, October 29, 1903, p. 9.
[101] Hutton, *op. cit.*, pp. 107–110.
[102] *Industrial Commission*, Vol. XII, p. 393.

armed non-union miners, heavy charges of dynamite were placed under the mill and amongst the machinery, and exploded. The invaders rounded out their work of destroying the mill by setting the office and boarding houses aflame.[103] Thereupon the mob dispersed. Two fatalities occurred in the preliminary affray, and the property damage was estimated at $250,000.[104]

Governor Steunenberg immediately communicated with the Acting Secretary of War and asked for troops. The request was made necessary by the absence of the Idaho National Guard in the Philippines.[105] The Acting Secretary of War directed General Merriman to proceed to Cœur d'Alene.[106] The Governor also sent Bartlet Sinclair, the State Auditor, to assume command at Shoshone county, and at his suggestion martial law was declared on May 4, 1901.[107] Mass arrests followed. The colored Federal troops acted with great zeal. Houses were ransacked in search of arms.[108] The prisoners were massed in a temporary place of detention.[109] Practically the entire male population in the district was lodged in jail. The position of the authorities was that if not an actual participant every man was morally guilty of the outrage.

In the absence of adequate jail facilities, 350 were crowded in a barn and others were kept in box cars.[110] Subsequently all the prisoners were lodged in a bull pen, which the prisoners themselves had been forced to erect. The colored soldiers subjected the prisoners to many indignities, which the white officers at least did not discourage.[111]

Armed with the powers of martial law, the Governor's representative, State Auditor Bartlet Sinclair, determined to destroy the union completely. The local authorities suspected of sympathy with the miners were removed and the county coroner, who was also the doctor for the Bunker Hill and Sullivan Company, was appointed sheriff. In his official capacity, he began an inquest

[103] *Butte Weekly Miner*, May 4, 1899.
[104] Reprinted from *Idaho State Tribune* in *Cœur d'Alene Mining Troubles*, Senate Document 140, 56th Congress, 1st Session, p. 44.
[105] *Industrial Commission*, Vol. XII, p. xviii.
[106] *Cœur d'Alene Mining Troubles*, Senate Document 140, 56th Congress, 1st Session, p. 28.
[107] *Industrial Commission*, Vol. XII, p. xcii.
[108] *Ibid.*, Vol. XII, pp. 433–434.
[109] *The Denver Weekly Republican*, May 4, 1899.
[110] Hutton, *op. cit.*, pp. 150–152.
[111] *Industrial Commission*, Vol. XII, pp. xx, 526.

into the death of the non-union man killed in the riot, which he virtually turned into a grand jury investigation lasting nearly three months with 480 witnesses heard. A verdict, reviewing the history of the trouble charged the union with full responsibility.[112] Thus the way was paved for the permit system soon to be introduced by the authorities to enforce the outlawing of the union.[113] The Federal military authorities proceeded to break the strike by force. In one of the mines the pumpmen had left their jobs in defense of the union shop. A lieutenant went to the miners' hall and gave them five minutes to go to work voluntarily or be driven at the point of the bayonet.[114]

The permit system, the forerunner of the "rustling card," was worked out by the attorney for the Company, the Governor's representative, and the general commander of the Federal troops. No one was permitted to work, nor was any mine allowed to employ any worker without a signed permit from the Acting Sheriff who was also the Company doctor. An applicant was required to affirm in writing that the Miners' Union was a criminal conspiracy, that it was responsible for the riot of April 29 and that he would never join it. Operators were ordered not to employ anyone without a permit.[115] Protests against the conduct of the General were made to the War Department. Secretary Alger ordered him not to meddle with the internal regulation of the mines.[116] In effect, however, the order hardly altered matters, since the driving spirit was the Governor's representative who was all powerful under martial law and whose commands the military obeyed.

The treatment of prisoners in the bull pen, severe to begin with, took on the character of deliberate atrocity after a frustrated attempt at a general escape. A tunnel was discovered and the prisoners as a body, refusing the order to fill it in, were subjected for eight days to starvation and inhuman punishment. This was only ended through the intervention of the War Department, which had learned of these atrocities from friends of the prisoners.[117]

The first man brought to trial was the secretary of the Burke

[112] *Industrial Commission*, Vol. XII, pp. 469–470.
[113] *Ibid.*, pp. 391–392.
[114] Hutton, *op. cit.*, p. 159.
[115] *The Weekly Republican*, Denver, Colorado, May 11, 1899.
[116] *Industrial Commission*, Vol. XII, p. 393.
[117] *Cœur d'Alene Mining Troubles*, Senate Document 140, 56th Congress, 1st Session, p. 65.

Miners' Union, on the charge of conspiracy to murder. He was convicted of second degree murder and sentenced to seventeen years' imprisonment at the State penitentiary.[118]

Eight others, indicted for murder, succeeded in escaping about a week before their trial. Ten were charged with interfering with the United States mail. They were convicted and sentenced to two years in the San Quentin penitentiary.[119]

The remainder of the prisoners, held in the bull pen since May, were released during November 1899. The military occupation of the district was, however, continued at the request of Governor Steunenberg. He was chiefly responsible for the wholesale arrests and detention of the miners. The miners were indescribably bitter against him as they regarded him as a traitor to labor. He had been the candidate of the Western Federation of Miners for governor and had claimed to be a member of the Typographical Union.[120] Steunenberg retired from office in 1901, but not from the memory of the miners.[121] Four months after assuming office the new governor requested withdrawal of the Federal troops, and on April 11, 1901, the troops left the Cœur d'Alene area, ending an occupation of slightly under two years.[122] During the same year, the union leaders, imprisoned in the state penitentiary, were pardoned as a result of a widely signed petition.[123]

Protest against the conduct of the United States troops poured in upon Congress, and an investigation by the Military Affairs committee was ordered by the House of Representatives. The investigation was held from February 8 to May 8, 1900. The impending Presidential campaign caused a division in the committee on partisan lines. The majority report sought to palliate the conduct of the troops by calling attention to the lawlessness of the miners.[124]

The minority report pointed out that there was only one act of violence against life and property, namely the riot of April 29. It held the General of the Federal troops guilty of ignorance and

[118] *The Weekly Republican*, Denver, Colorado, July 27, 1899; *Miners' Magazine*, January, 1900, pp. 1–2.
[119] *Miners' Magazine*, March 1900, p. 2.
[120] *Ibid.*, January 1901, p. 7.
[121] See Chapter XIX.
[122] *Miners' Magazine*, May 1901, p. 2.
[123] *Ibid.*, September 1901, p. 2.
[124] *Cœur d'Alene Labor Troubles*, House Report, No. 1999, 56th Congress, 1st Session, pp. 69–125.

usurpation of authority. The report condemned the use of Federal troops to carry out the order of the Governor's representative to institute wholesale arrests in which clergymen, teachers, and business men were imprisoned, notwithstanding that there were no disorders at the time. It also condemned the arbitrary suppression of a newspaper by an army officer.[125]

[125] *Ibid.*, pp. 126–132.

CHAPTER XVIII

CLASS WAR ON A GRAND SCALE

The struggles at Cœur d'Alene, Idaho, in 1892 and 1899, the Cripple Creek and Leadville fights of 1894 and 1896 brought out all the distinctive features of class war in the two-class society of the inter-mountain states in this period. We have seen government virtually giving up every pretense of acting as an impartial arbiter, and serving instead as the controlled agent and even avowed spokesman of one or the other of the contending classes, more frequently of the employers. However, it was in Colorado, between 1901 and 1904, that this phenomenon of mere industrial disputes assuming the form of civil war reached its fullest expression. Here the conflict lasted longest, the mobilization of fighting strength on either side was most thoroughgoing, and the will to victory most determined. The class war in Colorado reached its highest peak in 1903–04 when it engulfed the metal mining and coal areas. An ominous prelude was the strike in the Telluride district in 1901.

The Telluride strike was over the method of wage payment, the so-called fathom system. It had been introduced in Telluride by an Englishman who had operated mines on this basis abroad. A fathom was a place of work six feet high, six feet long, and as wide as the vein, the work being piece work and the rate fixed by management. The miners in the Smuggler-Union mine made formal complaint that the $3.00 wage scale and the eight-hour day were being undermined, but the management refused to consider the issue.[1]

The union offered to submit to arbitration. When the manager again refused, they struck, on May 1, 1901.[2] On June 17 the Company began operating with about 50 non-union men. It increased its force to 90 the following week. The strikebreakers were granted the union rate and the fathom system was abolished. The fight was now over unionism only. A member of the Executive

[1] *Miners' Magazine*, August 1901, p. 17; State of Colorado, *Biennial Report of Bureau of Labor Statistics*, 1901–02, p. 166.

[2] *Denver Weekly Republican*, May 2, 1901.

Board of the Western Federation of Miners spent two weeks trying to find a basis of agreement. The manager refused to settle, turning down the plea of a local citizens' committee as well.[3]

Their efforts at peace set at nought, the union entered the struggle in earnest. The strikers tried persuasion on the strikebreakers, but failed. They then resorted to open warfare. During the night of July 2, about 250 strikers, armed with Winchesters, took up positions near the living quarters of the strikebreakers. At about 5 o'clock in the morning of July 3, a committee of 25 advanced to meet the strikebreakers to demand that they leave their jobs. The foreman in charge ordered them to halt. The committee failing to obey, the strikebreakers and the deputy sheriffs accompanying them fired a volley. One striker was instantly killed. The strikers withdrew behind barricades and began a furious fusillade against the buildings. After two hours of hostilities the deputies and strikebreakers surrendered. Three were killed and six wounded, including one striker killed and one wounded.

The union men then took possession of the property. Vincent St. John, the president of the Telluride Miners' Union, and six years later the outstanding leader of the I. W. W., reached the scene in company with the sheriff. He agreed to sign a truce with the management on condition that it would suspend operations. The truce signed by St. John and Edgar Collins, assistant manager, stipulated "that all work shall cease [at the Smuggler-Union mine] . . . for the space of three days . . . also that [the Miners' Union] will refrain from violence either to person or property for this period. The company has the right to keep four watchmen." [4] In the afternoon the strikebreakers were ordered to leave the county.[5]

The sheriff telegraphed to Governor Orman for troops. The Governor issued a mobilization order, but upon the plea of many leading citizens, including the state senator from Telluride, he held the troops in Denver.[6] Lieutenant-Governor David M. Coates, a former labor union official, urged the Governor to send an investigating commission before he ordered soldiers to the district. The Governor appointed him and two others of known labor

[3] State of Colorado, *Biennial Report of Bureau of Labor Statistics*, 1901–02, pp. 166–167.
[4] *Miners' Magazine*, August 1901, pp. 18–19.
[5] *Cripple Creek Daily Press*, July 5, 1901.
[6] *Denver Weekly Republican*, July 4, 1901.

sympathies to proceed.[7] The commission advised against the immediate sending of troops. The sheriff indorsed their opinion.

A new attempt at a settlement was now made by a citizens' group aided by the commission. The manager, finding himself abandoned by the other operators and informed that no troops would be sent, reluctantly signed an agreement with the organized miners, extending full recognition and removing the objectionable features of the fathom system.[8] The favorable settlement, especially the demonstration of the union's political influence, caused great satisfaction in miner circles.[9]

An agreement between all the operators in Telluride and the miners' union was made during November 1901. It gave the eight-hour day to all underground men and an hour for dinner on company time to all ten-hour men working above ground.[10]

As an aftermath the manager of the Smuggler-Union was murdered. St. John and other union men were arrested, but were released for lack of evidence.

The Telluride episode of 1901 found the employers unprepared. They had allowed organized labor to acquire enough influence over government to keep it neutral in the open warfare, in which labor had a natural numerical preponderance. Two years after, on the eve of the most widespread and decisive class war of Colorado, the state government had passed under complete employer control.

On April 27, 1903, between 600 and 700 business men met at the Denver Chamber of Commerce and launched the Citizens' Alliance.[11] The Alliance aimed to include all classes on a militant program of repelling union encroachment on the individual rights of the employer. Its members agreed to boycott firms signing union agreements. Wage earners who repudiated unionism were welcome as members.[12]

Now the existence of a militant employer front showed itself in several specific instances. Union members were discharged in a number of trades. Strikes ensued. The Denver Trades Assembly proposed arbitration, but refused to recognize the Alliance as an employers' "one big union." [13]

[7] *Cripple Creek Daily Press*, July 6, 1901.
[8] *Miners' Magazine*, August 1901, p. 26.
[9] *Cripple Creek Daily Press*, July 9, 1901.
[10] *A Report on Labor Disturbances in the State of Colorado*, pp. 110–111.
[11] State of Colorado, *Biennial Report of Bureau of Labor Statistics*, 1903–04, p. 166.
[12] *Colorado Chronicle*, May 20, 1903; *Denver News*, May 14, 1903.
[13] *American Labor Union Journal*, May 21, 1903.

A general showdown between the aligned classes loomed. The Transfer Men's Association discharged its drivers who had formed a union. The fire and police board intervened and suggested arbitration. Labor suspected a trap and rejected the proposal.[14] The situation was becoming more strained. A labor committee, including Max Morris, a vice-president of the American Federation of Labor, and D. C. Coates, a former lieutenant-governor and a leader in the American Labor Union,[15] sensing that the conflict would assume wide proportions, called on the fire and police board to close all saloons.[16]

On May 14, 1903, labor attorneys applied to State Circuit Court Judge Mullins for an injunction against the Citizens' Alliance. The judge complied and in an elaborate order enjoined the Alliance from threatening to injure or discriminate against any employer who might desire to employ union men. It was forbidden to employ threats or intimidation to force persons to join and to prevent its members from employing union men or dealing with unions. It was forbidden to receive or pay out any monies in pursuance of any agreement to break up labor unions, except to attorneys in this action. The judge further ordered them to desist from bribing officers of labor unions directly or indirectly; from importing or engaging agents to import labor into Denver for the purpose of aiding in the destruction of organized labor; from bringing any injunction writs or prosecutions to break up labor unions, or from refusing or influencing landlords to refuse to let quarters to labor unions.[17]

The Transfer Men's Association countered by securing an injunction from the United States District Court forbidding the teamsters from interfering with the service of the companies.[18]

The next step was a sympathetic strike by the cooks, waiters, and butchers.[19] The organized labor movement was aroused as a whole. It saw behind the unyielding individual employer groups the formidable and determined Citizens' Alliance bent upon the total destruction of unionism in Denver. Meeting most of the day and night of May 16, the representatives of all groups of

[14] State of Colorado, *Biennial Report of Bureau of Labor Statistics*, 1903–04, p. 171.
[15] See Chapter XX.
[16] *Denver News*, May 14, 1903.
[17] *Colorado Chronicle*, May 20, 1903.
[18] State of Colorado, *Biennial Report of Bureau of Labor Statistics*, 1903–04, p. 173.
[19] *Denver Weekly Republican*, May 14, 1903.

organized labor issued a call for a general strike effective at midnight. The call was answered by 8000 strikers in 37 organized trades and a number of unorganized sympathizers.[20] The strikers counted members of unions affiliated with the American Federation of Labor, independent unions, and locals affiliated with the American Labor Union. The common danger of annihilation led them to forget their factional differences.

The State Board of Arbitration entered with a proposal for arbitration. The Citizens' Alliance replied in the negative. The Allied Printing Trades' Council notified their employers that unless they withdrew from the Alliance they, too, would go on strike. They regarded the affiliation of their employers with the Alliance as a violation of contract. The printing employers gave a conciliatory reply.[21]

Meantime, the business life of Denver was practically at a standstill. A group of business men unaffiliated with the Alliance, aided by the Typographical Union, sought to bring peace nearer. This was crowned with success. An agreement, in effect a peace treaty between the two warring classes, was made. Each side conceded to the other the right to organize. Workers were granted the right to join labor unions and to persuade others to join. In return the unions recognized the right of the employer to join any association he chose. All questions in addition to the right to organize were to be settled by arbitration. All strikers were to be rehired without discrimination, all boycotts called off, and all law suits ended.[22] The first general battle in the class war ended in a draw with no casualties. A more fiercely fought war loomed on the horizon.

That war was fought on the main front, between the Western Federation of Miners and the Colorado Mine Owners' Association—aided by the Associated Citizens' Alliances and by the military forces of the State. The issue at stake was the eight-hour day, and the warring classes fought on both the legislative and industrial arenas.

In 1894, the Western Federation of Miners inaugurated a campaign for an eight-hour law for all workers, underground and in mills and smelters. The movement was supported by the United

[20] *Colorado Chronicle*, May 20, 1903.
[21] *American Labor Union Journal*, May 28, 1903.
[22] State of Colorado, *Biennial Report of Bureau of Labor Statistics*, 1903–04, pp. 178–179.

Mine Workers of America and by organized labor in general. In 1895, an eight-hour bill was introduced in the legislature of Colorado. The Supreme Court of the state upon request rendered an opinion that such a law would be unconstitutional, and the bill failed of enactment.[23]

In 1899, encouraged by the decision of the United States Supreme Court upholding a similar Utah statute, the legislature enacted an eight-hour day law. Nevertheless, the law was declared unconstitutional by the Colorado Supreme Court.

The Western Federation of Miners, in co-operation with the whole labor movement of Colorado, met this setback by a determination to amend the State constitution. The amendment was indorsed by the three leading parties, the Democratic, Populist, and Republican, and was overwhelmingly approved by a referendum vote in 1902. Such approval was considered a mandate to the legislature. Nevertheless, under pressure of the mining operators and smelter men, the legislature failed to obey the mandate of the electorate.[24]

Having suffered complete failure on the legislative front, the Western Federation of Miners shifted to the industrial front. In 1902 it engaged in an organizing drive on the smelters. A local of smelter men in Colorado City, the Mill and Smeltermen's Union No. 125, was formed.[25]

The management had been far from asleep. An undercover man had succeeded in having himself elected recording secretary and was able to keep his paymaster supplied with a list of all union members. Forty-two were discharged in one mill, the union protesting in vain.[26]

The union presented the mill managers with a more comprehensive list of demands and named a time limit. These included an increase from $1.80 and $2.00 to $2.25 per day, no discrimination against organized labor, and the reinstatement of all discharged union men. The union insisted that it was concerned in promoting the prosperity of the companies and merely asked that it be recognized as the legitimate spokesman of the men. Manager MacNeil of the largest smelting plant, the Standard Mill,

[23] *Labor Disturbances in Colorado*, p. 51.
[24] *Ibid.*, pp. 52–67.
[25] Western Federation of Miners, *Official Proceedings*, 1903, p. 26.
[26] Langdon, Emma F., *The Cripple Creek Strike, 1903–1904*, Victor Daily Press, Victor, Colorado, 1905, pp. 44–45.

owned by the United States Reduction and Refining Company, rejected all demands, especially union recognition.[27]

An immediate walkout followed. The usual picket line was posted and strikebreakers were brought in. The manager, in addition to hiring a large number of deputy sheriffs, had himself appointed in that capacity.[28]

The union emphasized its moderation in a communication to the other companies in Colorado City. It read: "We would be glad to take the matter up with you and assure you of our willingness to look at things from the company's standpoint as well as our own, and do that which will promote harmony and justice." The demands were rejected nevertheless. A factor in this refusal was the reputation for radicalism of the Western Federation of Miners. Yet, although the union had indorsed socialism, it is obvious that in its approach to the employers it differed not at all from the type of unionism of the American Federation of Labor. The strike was enlarged to include the employees of two other smelters in Colorado City.[29]

On March 3, Manager MacNeil of the Standard Mill called upon Governor Peabody and presented him with a request for troops signed by the sheriff of El Paso county. Without further investigation the obliging Governor ordered five companies of infantry and one of cavalry to the strike area.[30] The arrival of the troops brought a vigorous protest to the Governor from the mayor, the chief of police, and the city attorney of Colorado City, who pointed to the total absence of any unusual lawlessness and assured him of their complete ability to handle the situation.[31] A committee of business men and members of the city council attempted to mediate, but without result. MacNeil laid the whole trouble to "agitators." [32]

On March 6, 1903, the military authorities forbade picketing. The order was later modified and the strikers allowed to establish a line beyond the military sentinels. Protesting petitions to the legislature against the unnecessary sending of the troops by the Governor were circulated by the officers of the Western Federation

[27] *Cripple Creek Daily Press*, March 8, 1903.
[28] *Ibid.*, February 18, 1903.
[29] *Ibid.*, March 1, 1903.
[30] *Colorado Chronicle*, March 4, 1903.
[31] *Miners' Magazine*, April 1903, p. 7.
[32] *Cripple Creek Daily Press*, March 5, 1903.

of Miners and signed by thousands of citizens. It was laid on the table in the lower house by a vote of 29 to 19.[33]

The Western Federation of Miners was eager to emphasize its moderation. William D. Haywood, the Secretary-Treasurer of the Federation, quoted the clause in the constitution of the Federation: "[We urge all] to use all honorable means to maintain and promote friendly relations between ourselves and our employers and endeavor, by arbitration and conciliation, or other pacific means, to settle any difficulties which may arise between us, and thus strive to make contentions and strikes unnecessary." [34] Haywood pleaded for arbitration. The Colorado legislature, on March 9, urged both sides to submit to arbitration.

Governor Peabody finally intervened to further peace. He invited the managers of the mills to meet with representatives of the Western Federation at his office on March 14. This led to a settlement with the independent mills, granting the eight-hour day, no discrimination in employment, reinstatement of all strikers within 20 days, and union recognition. The wage scale was to be fixed at a conference with the union within 20 days.[35] MacNeil of the Standard refused to accede to the settlement.

The union decided to use the boycott against the recalcitrant mill. With President Moyer of the Western Federation of Miners on the ground, the mines were requested to stop shipping ore. Several mines agreed and were permitted to continue operations. The mines which refused were tied up by a strike.[36]

Following the partial settlement the Governor ordered the troops withdrawn.[37] He appointed an advisory board to aid in extending the settlement. The board began taking testimony on March 21. At this time rumors became persistent that the Colorado Mine Owners' Association, at a meeting at Colorado City on March 25, had decided upon war to the knife against the Western Federation of Miners, and that the leading mine owners, with few exceptions, had joined in with the new war policy.[38]

Still the union held to its conciliatory attitude. Testifying before the Governor's board, Moyer waived the demand for an in-

[33] *Miners' Magazine*, April 1903, p. 18.
[34] *Labor Disturbances in Colorado*, p. 117.
[35] *Miners' Magazine*, April 1903, pp. 31–33.
[36] *Cripple Creek Daily Press*, March 18, 1903.
[37] *Ibid.*, March 20, 1903.
[38] *Miners' Magazine*, May 1903, p. 10.

crease in wages, also the demand for a formal recognition of the union and its grievance committee, and even the demand for the re-employment of the strikers within a specified time. Manager MacNeil promised to re-employ the company's former employees as far as circumstances would permit and to give preference to strikers. The strike was ended on March 31, 1903.[39]

On July 1, one of the independent mills reduced its minimum scale to $2.00. The union accepted the reduction as the management claimed that the other alternative was to suspend operations.[40] Trouble developed afresh in the mills of the United States Reduction and Refining Company. The union insisted that the conditions of settlement were not observed. Strikers rehired were placed in inferior jobs. A final attempt to arrive at an understanding with MacNeil failed. On August 8, 1903, District Union No. 1 met and called a sympathetic strike on the mines shipping to the plants of the United States Reduction and Refining Company.[41]

During August 1903, the union was confronted by the refusal of the merchants in the strike area to extend further credit to strikers. The Western Federation countered by opening stores in three localities. All goods were sold at cost price and when the miners exhausted their funds they were given credit.[42]

At the end of August sporadic violence broke out. Members of the Mine Owners' Association urged the sheriff to greater activity. He agreed to appoint additional deputies of good repute selected by the mine owners.[43]

Next the Association demanded that the sheriff make a request for troops. He refused, claiming that he was capable of maintaining order. The mayor of Victor stepped in and appealed for troops. President Moyer denied that large-scale violence existed in the Cripple Creek district and pledged the members of the Western Federation of Miners to help maintain order. The Governor sent an investigating commission headed by Brigadier-General Chase. The commission took testimony from the leading operators but ignored the leaders of the union. The sheriff of the county again denied that troops were necessary, and the city

[39] *Colorado Chronicle*, April 1, 1903.
[40] *Denver Daily News*, July 2, 1903.
[41] *Miners' Magazine*, August 27, 1903, p. 7.
[42] *Labor Disturbances in Colorado*, p. 165.
[43] *Ibid.*, pp. 170–172.

council of Victor unanimously repudiated the mayor's request for militia. The Governor's commission advised the immediate sending of troops.[44]

The arrival of the troops was the occasion of a restatement of position by both sides. The Western Federation of Miners asked for fair play. The Citizens' Alliance of Cripple Creek, with a membership of nearly 400, speaking for the employers, characterized as "harmful to the community" the attempt to coerce the United States Reduction and Refining Company to cease discriminating against union men. In the eyes of the Alliance the Mine Owners' Association was the "custodian of a sacred trust, consisting of the investments of thousands and in the aggregate of millions of dollars, representing the interest of people from the richest to the poorest and perhaps persons now dependent upon such dividends for maintenance." [45]

After the arrival of troops, a number of mines resumed operations with non-union men. The Mine Owners' Association charged the Federation with responsibility for the parlous state of the industry and solemnly pledged itself never again to recognize it.[46]

Arrests of active strike leaders began "on the grounds of military necessity." No charges were preferred against the incarcerated. Amongst the arrested was Sherman Parker, secretary of the Free Coinage Miners' Union No. 19, and one of the outstanding miner leaders. Upon the refusal by the military to release the men imprisoned in the bull pen, the union instituted *habeas corpus* proceedings before Judge Lafferty. The military commander, General Chase, justified the arrest and detention of the strikers and their leaders by the act of the Governor in dispatching troops to the strike area. When the case came before the court on September 21, 90 cavalrymen were marched through Cripple Creek and formed a cordon around the court house, permitting but few persons to pass in and out. The petitioners were escorted by a company of infantry with fixed bayonets and were guarded by 14 armed soldiers while in court.

The judge adjourned court and ordered the Brigadier-General to have the petitioners in court on September 22. The militia failed to produce the prisoners on that day, and a continuance

[44] *Miners' Magazine*, September 10, 1903, p. 6.

[45] State of Colorado, *Biennial Report of Bureau of Labor Statistics*, 1903–04, pp. 86–87.

[46] *Labor Disturbances in Colorado*, p. 180.

was granted for one day. On September 23 a large number of soldiers again surrounded the court, a Gatling gun was drawn up before the court house, and sharp shooters were placed on roofs of surrounding buildings. This time the prisoners were brought into court by 34 armed soldiers. The attorneys for the imprisoned strikers refused to go on with the legal proceedings in the face of the attempt of the militia to overawe the civil courts. The miners' lawyers withdrew on the ground that the court had ceased to be a court and had been transformed into an armed camp.

The counsel for the militia did not deny this contention. He, moreover, disputed the right of the court to intervene in limiting the prerogative of the militia. The Governor had the right to declare martial law and that removed all checks and limitations on the commanding officer. The court adjourned for a day. At the reopening of court there was a repetition of the military display.

The following day the judge granted the writs. In his decision he observed that there was no unusual violence in the district, and that the laws of Colorado made the military subordinate to civil authority. He therefore ordered the incarcerated men released. Immediately General Chase leaped to his feet. Saluting the court, he announced that he was acting upon the orders of the commander-in-chief, the Governor, and he therefore refused to honor the order of the court. The prisoners were returned to the local bull pen and were released later in the day at the orders of the Governor.[47]

During September 1903, the militia continued to arrest active union members, hold them in the bull pen for a time, and then release them. It was an effort to break down the morale of the strikers. On September 29 the militia took umbrage at an editorial printed in the *Victor Record*, which was sympathetic to the union. They raided the plant and arrested the entire working force. The arrested staff was turned over to the civil authorities after 24 hours' imprisonment in the bull pen.[48]

The blowing up of the Vindicator mine with two fatalities was the first violence of importance. Each side endeavored to fasten responsibility on the other, the union claiming it to have been an act of provocation.

[47] *Labor Disturbances in Colorado*, pp. 182–187.
[48] *Miners' Magazine*, October 8, 1903, p. 6.

After the explosion at the Vindicator mine, the Governor, urged on by leading mine operators, declared martial law in Teller county. The commander of the militia immediately informed the editor of the *Victor Herald* that he could continue to publish ordinary news matters, but his editorial comments were to be censored by the militia.[49]

The militia commander proceeded to rule with a high hand. He proclaimed the Western Federation of Miners "a group of desperate men." Again the union tried *habeas corpus* proceedings in the case of a miner arrested and held in the bull pen. Judge Seeds granted the writ. Thereupon the Governor issued a proclamation suspending the writ "on the grounds of military necessity," the militia refusing to recognize the authority of the court to limit its activities.[50] On December 30, 1903, the commanding officer issued a general vagrancy order against all idle men in the district. "Idle men will find employment or face deportation from the district" was the general order. Deportations of strikers by the militia began. The miners' organization applied to Judge Seeds to stop the deportations. On January 7, 1904, the judge issued an injunction forbidding military deportations. The military commander this time chose to abide by the court's decree.[51]

A serious accident in one of the mines operating with non-union labor added to the tension. At the Independence mine at Victor on January 26, 1904, 16 men were killed in the fall of a cage. The coroner's jury attributed the accident to the Company's disregard of safety rules.[52]

Conditions became more normal, and the militia was withdrawn from Teller county on February 2, 1904.[53]

The Mine Owners' Association now decided to root out all vestiges of the union. A "rustling card" system was introduced in the Cripple Creek and in the other metallifferous mining districts of Colorado. Under this arrangement an applicant for work was required to fill out a card giving his personal and industrial history and to state whether he was a member of the Western Federation of Miners. If the applicant's answers were satisfactory, he was given a card authorizing him to seek employment in

[49] *Labor Disturbances in Colorado*, pp. 192–193.
[50] *Miners' Magazine*, December 17, 1903, pp. 10–13.
[51] *Ibid.*, January 21, 1904, p. 11.
[52] *Ibid.*, February 4, 1904, p. 6.
[53] *Ibid.*, February 11, 1904, p. 9.

the mines of the district. This was repeated with each change in employment.[54] Thus by the use of a central pre-employment office the mine owners were in a position to blacklist and to eliminate all the active union men from Colorado.

On March 10, 1904, following a clash between union and non-union men, the militia returned for a month's stay.[55]

The strike dragged on. On June 6, 1904, early in the morning, a charge of dynamite was exploded under the railroad depot at Independence, killing 13 and wounding 16 non-union men. The Western Federation of Miners disclaimed any connection and offered a reward of $5000 for the arrest and conviction of the guilty.[56]

The Independence explosion provoked mob action by the company men and sympathizers organized as a Citizens' Alliance. At a meeting of the Mine Owners' Association at Victor the sheriff was forced under threat of lynching to resign his office. The town authorities were divided in their sympathies. The Mine Owners' Association called a street meeting. In the *mêlée* firing broke out, causing the death of two and the wounding of four. The local unit of militia was called and surrounded the miners' hall. After additional firing, with three more wounded, the miners were forced to surrender.[57]

The military again returned and took command at Victor. A round-up of union men under the direction of the Citizens' Alliance began. The civil and police officials sympathetic to the miners were forced to resign and were replaced by Citizens' Alliance men. An armed mob wrecked the union store and the quarters of the engineers' branch of the Western Federation of Miners, including the valuable machinery used to instruct engineers in their trade.[58]

The coroner's jury placed the blame for the deaths upon the local members of the Western Federation of Miners and the national officers. Warrants were issued for the arrest of the national officers and served upon them in Denver. They were, however, released on bonds ranging from $5000 to $10,000.[59]

In the round-up after the Independence depot explosion more

[54] *Labor Disturbances in Colorado*, pp. 224–228.
[55] *Ibid.*, p. 223.
[56] *Denver News*, June 7, 1904.
[57] *Ibid.*, June 7, 1904.
[58] *Miners' Magazine*, June 23, 1904, p. 3.
[59] *Labor Disturbances in Colorado*, p. 258.

than 200 union men and their sympathizers were imprisoned in the bull pen, including the city marshals of Anaconda, Goldfield, and Independence.[60] Deportations began. Twenty-seven were deported to Colorado Springs with instructions not to return. The campaign against union men was so sweeping that 65 union miners working at the time on leases were attacked by a force of soldiers and deputies, and as a result of their resistance one of their number was killed.[61]

The commander of the militia, General Sherman Bell, behaved like a commander in enemy territory.[62] He set up a commission to determine the fate of the prisoners in the bull pen. The commission was guided solely by a person's attitude to the union. On June 10, 1904, General Bell issued an order to deport 79 men to Kansas. They were taken in a train to the State boundary, and ordered never to return to Colorado. A volley was fired over their heads to give the order due military emphasis. However, the sheriff of the adjacent Kansas county refusing them the right to cross, they were escorted to Hadley, where their troubles were at an end. The Western Federation of Miners enabled them to go to Denver.[63]

On June 13, 1904, the military began new deportations. On the afternoon of June 14, 33 men, including a prominent lawyer, were loaded on a train at Victor, and under guard of soldiers and deputies were sent to New Mexico. The military went out of their way to inflict cruel punishment on the deported men. Eventually the men were enabled by the Western Federation to go to Denver.[64]

An order was issued by the military command on June 14 forbidding local merchants to honor the orders of the Western Federation and ordering all relief to the families of the deported men to be given through the military officers.[65]

A further deportation of 39 men from Victor occurred on June 28. They were deported by the Citizens' Alliance aided by the military. They were sent to Colorado Springs, but continued on to Denver.[66]

On July 26, 1904, the Governor ended the military occupation, leaving the field to the Citizens' Alliance. The commission which had been instituted on June 8 also ended its activities. It had examined 1569 men; recommended for deportation 238, for trial in the criminal courts 42, and for release 1289.[67]

[60] *Denver News*, June 7, 1904.
[61] *Ibid.*, June 9, 1904.
[62] *Labor Disturbances in Colorado*, p. 211.
[63] *Denver News*, June 11, 1904.
[64] *Ibid.*, June 16, 1904.
[65] *Denver Times*, June 15, 1904.
[66] *Denver News*, June 29, 1904.
[67] *Labor Disturbances in Colorado*, p. 295.

The Citizens' Alliance took its duties seriously. Mobs attired in white caps invaded the homes of suspects, terrorized the occupants, deported them, and frequently robbed them.[68]

On August 20, a mob of about 1500 men armed with rifles and revolvers wrecked the union store at Cripple Creek which had been turned over to a private concern, the Interstate Mercantile Company. A former attorney general of the State and a former district attorney of Teller county, and several other known union sympathizers were deported at the same time.[69] The Interstate Mercantile Company sued for a federal injunction restraining the Citizens' Alliance and the Mine Owners' Association from interfering with its business. A temporary injunction was granted on September 6, 1904, and on November 7 this order was made permanent. Judge Marshall found, however, that the evidence was not sufficient to implicate the Mine Owners' Association and no order was directed against that organization.[70]

The union secured from Judge Owers an injunction restraining the Association from blacklisting members of the Western Federation. In the autumn election of 1904 the mine owners succeeded in electing their men for county sheriff and district attorney of Teller county.

Conditions gradually became normal and on November 18 the cases against the 42 men indicted for murder as a result of the Victor riot were dismissed. On January 6, 1905, the cases against the national officers of the Western Federation of Miners were also dismissed, and this ended all the legal prosecutions resulting from the Victor riots.[71] The strike was nominally continued until December 1907, when it was ended by the Executive Board of the Western Federation of Miners.[72]

The union had spent more than $400,000 in fighting the attacks of the mine operators.

Parallel with the main Colorado battle front in the Cripple Creek district, ran two subordinate fronts, Idaho Springs and the San Juan (Telluride) district.

The Idaho Springs strike was also due to the failure of the legislature to adopt the eight-hour day. On April 10, 1903, the

[68] *Denver News*, August 11, 1904.
[69] *Ibid.*, August 20–21, 1904.
[70] *Miners' Magazine*, November 17, 1904, pp. 7–9.
[71] *Labor Disturbances in Colorado*, p. 325.
[72] Western Federation of Miners, *Proceedings*, 1908, p. 263.

miners of Idaho Springs presented that demand to the mine owners and a strike began on May 1. On May 18 several companies yielded and the strike front narrowed down to three mines. One resumed operations with non-union men. An attempt on July 28 was made to dynamite the transformer house, causing slight damage to the property but costing the life of one of the dynamiters.[73]

Immediately a "round-up" of the leaders of the local miners' union began. The local Citizens' Protective League was summoned to meet by the ringing of the fire bell. The city attorney presided and the main speech was made by the president of the leading bank. It was decided to deport the strikers.[74] Some of the deported men appealed to Governor Peabody but he referred them to the courts.[75]

The Denver Citizens' Alliance on August 4 defended the Idaho Springs deportations in the following characteristic manner: "While technically speaking, [it] was without due process of law, yet nevertheless, from the standpoint of expediency and self-defense, was calculated to save lives, liberty and property." [76]

The deported miners applied to Judge Owers for an injunction against the Citizens' Protective League. The judge granted the order and said in his decision that "the action of the Idaho Springs mob—I take pains to use that accurate term—in running out of town, with threats of violence, the officials of the miners' union was sheer anarchy, an outrageous violation of the rights guaranteed by the Constitution to the humblest person." [77]

In another public statement freeing eight of the returned men charged with rioting, the judge challenged the district attorney to prosecute the mob leaders. On complaint of the deported men warrants charging 129 citizens of Idaho Springs with rioting, false imprisonment, and conspiracy to riot were issued by Judge Owers.[78]

The district attorney entered a *nolle prosse* in the case of each defendant. The court was powerless to supersede the district attorney and the cases were dismissed.[79]

The more important secondary front, in the Telluride district, saw more fighting and a more decisive defeat for the miners.

[73] *Labor Disturbances in Colorado*, p. 152.
[74] *Denver Weekly News*, July 30, 1903.
[75] *Labor Disturbances in Colorado*, p. 157.
[76] *Ibid.*, p. 157.
[77] *Ibid.*, August 13, 1903, p. 159.
[78] *Miners' Magazine*, December 17, 1903, p. 9.
[79] *Labor Disturbances in Colorado*, p. 159.

On August 26, 1903, the union presented to the mills several demands, including demands for an eight-hour day and union recognition.[80]

The mine owners countered by organizing the San Juan District Mine Owners' Association embracing the mine owners of San Juan, San Miguel, and Ouray counties. A strike began September 1, 1903. It tied up a number of mines, including the Smuggler-Union mills, which had figured in the center of the fight in 1901, ending in the death of the manager. The miners were for the present not called out, but the closing of the mills forced the suspension of several mines. Other mines were forced to close due to the strike of cooks and waiters in the company boarding houses. The remaining mines were closed by a sympathetic strike of the miners.[81]

On November 5 a committee of mine owners called upon Governor Peabody and asked him for troops. The Governor sent a commission to investigate. It recommended the sending of troops. The Governor was anxious to relieve the state treasury and sought to enlist the aid of the Federal government. He appealed to President Roosevelt for troops on the ground that the State lacked funds to maintain the necessary military force. President Roosevelt refused and the Governor sent state militia. On November 20, 1903, 500 troops were sent to San Miguel county.[82]

The usual arrests on charges of conspiracy began. Up to January 1904, the militia was subordinate to the civil authorities. On January 3, 1904, the Governor declared martial law. Further arrests ensued.[83] The commander established a censorship over the telegraph and telephone lines. The militia at once deported 22 men, and continued deportations throughout their stay. On January 28, 1904, the Governor restored civil rule, but the soldiers remained to aid in law enforcement. On February 22 the Governor appointed the manager of the Smuggler-Union mines as captain of the militia.[84]

The arrests of union miners continued. Many were charged with vagrancy, convicted, and given the option of leaving the county or accepting employment in the mines. In one case where

[80] *Miners' Magazine*, September 3, 1903, p. 8.
[81] *Labor Disturbances in Colorado*, pp. 168–169.
[82] *Ibid.*, pp. 194–195.
[83] *Miners' Magazine*, January 14, 1904, p. 7.
[84] *Ibid.*, February 25, 1904, p. 11.

a convicted miner failed to carry out the decree of the court he was seized and chained to a telegraph pole for 14 hours with his arms spread-eagled.[85]

On March 9 the militia was withdrawn. Several of the deportees returned. When the miners of one of the adjacent counties furnished an armed escort to take the Telluride deportees back to their homes, the Governor prohibited the move for self-protection and advised appeal to the courts. Judge Stevens issued an injunction against deportation by the Citizens' Alliance. Immediately, however, the Governor restored martial law and put the militia in the service of the Citizens' Alliance to prevent the return of the deported strikers.[86] Thereupon the Citizens' Alliance, armed with guns, seized 80 union men and their sympathizers, including the manager of the largest store in town, and deported them.[87]

On April 5, 1904, emboldened by the Governor's aid, the Telluride Mine Owners' Association announced that it would never again deal with the Western Federation of Miners.[88]

On March 26, Charles H. Moyer, the president of the Western Federation of Miners, was arrested by the sheriff of Ouray county and charged with desecrating the flag. He was turned over to the militia and lodged in the Telluride bull pen. The charge was an outgrowth of a poster distributed by the Western Federation of Miners which showed an American flag with inscriptions in black ink on the stripes itemizing the forms of the violation of the miners' constitutional rights. The poster bore a facsimile of the signatures of Moyer and William D. Haywood.[89]

Moyer's attorney secured a writ of *habeas corpus* from a local judge, but the commanding general refused to produce Moyer in court on the ground that martial law had superseded the court's jurisdiction. The judge found both officers guilty of contempt, fined them $500 and the cost of proceeding, and ordered them arrested. In his decision the judge declared that no riot or insurrection existed in the district unless these conditions existed by virtue of the illegal usurpation of authority by the Governor.[90]

[85] *Miners' Magazine*, March 10, 1904, p. 5.
[86] *Labor Disturbances in Colorado*, pp. 200–201.
[87] *Miners' Magazine*, March 24, 1904, p. 9.
[88] *Labor Disturbances in Colorado*, p. 205.
[89] *Miners' Magazine*, March 31, 1904, p. 10.
[90] *Ibid.*, April 21, 1904, p. 9.

Next Moyer's attorneys applied for a writ of *habeas corpus* to the Colorado Supreme Court. The court issued an order for the bringing of Moyer before it. The military obeyed, and Moyer was produced on April 21.[91] The court took the question under advisement, but refused to release the defendant on bail pending its decision. On June 6 the Supreme Court of the state of Colorado by a vote of 2 to 1 denied Moyer's petition and remanded the prisoner to the custody of the military.[92]

The attorneys for the Western Federation now turned to the United States Circuit Court on the ground of the violation of the Federal Constitution. The court issued an order commanding the Governor and the military commanders to produce Moyer on July 5.[93] The Governor refused to test his authority and ordered Moyer released by the military. Moyer was rearrested and charged with complicity in the murder of the two men killed in the Vindicator mine explosion.[94] Deportations of local strikers and sympathizers continued. On July 16, 1904, the militia left, but the Citizens' Alliance looked after deportations.[95]

Finally the mine owners, to bring back more normal conditions, were forced to grant the eight-hour day. However, the union was not recognized. The miners' union officially called off the strike on December 1, 1904.[96]

The class war in Colorado between the Western Federation of Miners and the State Mine Owners' Association found an echo in the Trinidad coal fields in a strike against the Colorado Fuel and Iron and the Victor Fuel companies begun in November 1903—a precursor of the more bitter strike against the same companies in 1913. Although the strikers, who were of Italian and Finnish birth, conducted themselves less aggressively than the metal miners in Cripple Creek and elsewhere, and although their leadership inspired by John Mitchell was likewise less militant, the same forces of repression by military law, deportations, and assaults were employed. The strike lasted almost one year, ending in a total defeat.[97]

[91] *Denver News*, April 21, 1904.
[92] *Labor Disturbances in Colorado*, pp. 236–245.
[93] *Denver News*, June 6, 1904.
[94] *Ibid.*, June 17, 1904.
[95] *Miners' Magazine*, June 9, 1904, p. 11; *Denver News*, July 8, 17, 1904.
[96] *Denver Times*, June 30, 1904; *Denver News*, November 15, 1904.
[97] *Labor Disturbances in Colorado*, pp. 356–357; State of Colorado, *Biennial Report of Bureau of Labor Statistics*, 1903–04, p. 187.

CHAPTER XIX

THE CLASS WAR BEFORE THE COURTS

On December 30, 1905, former Governor Frank Steunenberg was assassinated by a bomb while opening the gate of his home at Caldwell, Idaho. The infernal machine had been arranged to explode at the opening of the gate and had been placed there in expectation that Steunenberg would be the victim. Steunenberg had been elected as a Populist in 1897, largely by the votes of the miners. He was governor during the Cœur d'Alene riots of 1899, and the imprisonments in bull pens of that year were remembered by many of those who had voted for him. Immediately after the explosion, all avenues of escape were watched and strangers were closely questioned. Governor Gooding and other State officials hurried to the town and a reward of $10,000 for information leading to the arrest of the culprit was offered by the State and $5,000 more by the Steunenberg family.[1]

The day following the murder a suspicious stranger was arrested and held pending further investigation. The arrested man, Harry Orchard, proved later to be of central importance in the case, but at the beginning he maintained his innocence. On January 12, 1906, James McParlan, the manager of the Denver office of the Pinkerton Detective Agency, who 30 years earlier had exposed the Molly Maguires of the anthracite region,[2] took command.[3] To McParlan Orchard made a full confession. He admitted having placed the dynamite charge which killed Steunenberg and implicated the leadership of the Western Federation of Miners, or rather a so-called "inner circle" as accomplices.[4]

On February 12, 1906, the county attorney of Canyon county, Idaho, secretly filed a sworn complaint against Charles H. Moyer, President, and William D. Haywood, Secretary-Treasurer of the Western Federation of Miners, with headquarters in Denver, and against George Pettibone, a business man of Denver, charging

[1] Grant, Luke, "The Idaho Murder Trial," *Outlook*, April 6, 1907, pp. 805–806; *Current Literature*, June 1907, p. 587.
[2] Commons and Associates, *op. cit.*, Vol. II, p. 184.
[3] *Denver Weekly News*, August 1, 1907.
[4] *Denver News*, February 19, 1906.

them with having been present at Caldwell, Idaho, on December 30, 1905, and with having assisted in the murder of Steunenberg. Warrants were issued, and on the same day Governor Gooding, the prosecuting attorney and several others met to devise an effective method of bringing the accused men to Idaho. The regular method was considered inadvisable. The prisoners would appeal to the courts and a long struggle over extradition would ensue. A more efficacious method was devised. The Idaho prosecuting attorney arrived in Denver on Thursday, February 15.[5] Extradition papers were secretly signed by Governor McDonald of Colorado, and on Saturday evening, when the defendants were not able readily to secure court interference, the three prisoners were arrested and the following morning secretly conveyed under guard to the railway station. There a special train was waiting to take them to Idaho. Only the higher officials of the railway company were apprised of the purpose, and they co-operated by giving the train right of way over all others. Thus was court intervention successfully dodged. Another member of the Executive Board of the Federation, J. L. Simpkins, likewise accused, was never found.[6]

On February 20 Steve Adams, supposedly an agent of the same "inner circle," was arrested at Haines, Oregon. McParlan asserted that he had secured his confession corroborating Orchard.[7] Moyer, Haywood, and Pettibone were arraigned at Caldwell on February 21. The following day the defense began *habeas corpus* proceedings in both the Idaho Supreme Court and in the Federal court at Boise.[8] The defense sought to have the entire proceedings outlawed and the men returned to Colorado.

On March 6, 1906, Moyer, Haywood, and Pettibone were formally indicted jointly with Simpkins on the charge of having caused the murder of Steunenberg. Orchard was charged with murder and indicted separately.[9]

The kidnaping of the three miners' leaders roused the labor and socialist organizations of the whole country to their defense. The Illinois district of the United Mine Workers of America responded immediately with an unsolicited donation of $5000.[10]

[5] Langdon, Emma F., *Labor's Greatest Conflicts*, Denver Press, Denver, 1908, p. 41.
[6] *Denver News*, February 19, 1906.
[7] *Miners' Magazine*, March 8, 1906, p. 12.
[8] *Denver Weekly News*, August 1, 1907.
[9] *Denver News*, March 7, 1906.
[10] *Miners' Magazine*, March 1, 1906, p. 5.

Under the leadership of Eugene V. Debs, the socialists began an active nation-wide campaign in behalf of the prisoners. Debs issued an appeal under the caption, "Arouse Ye Slaves," spread across the entire front page of the *Appeal to Reason*, warning the authorities against an attempt to repeat the Haymarket tragedy. The railroading of the miners' leaders to the gallows "would be met by a revolution." [11]

The courts ruled adversely to the defendants. On March 12 the Idaho Supreme Court denied the prisoners' petition for a writ of *habeas corpus*.[12] Ten days later the United States District Court rendered a similar decision. An exception was entered and the case appealed to the United States Supreme Court.[13] Pending the adjudication by that Court, the socialist and labor movements were successful in stirring up the country's opinion as on no previous labor issue. If these men were guilty beyond a reasonable doubt, why were not the regular legal processes followed, was a question steadily asked in the labor press and in protest meetings. Samuel Gompers, at the convention of the American Federation of Labor in 1906, vigorously denounced the kidnaping of Moyer, Haywood, and Pettibone.[14] The socialist *Appeal to Reason*, with a circulation of several hundred thousand, published a "rescue edition" with a ringing plea from Debs.[15] William D. Haywood was nominated for governor of Colorado on the socialist ticket.[16]

The prosecution was dealt a serious blow by Steve Adams repudiating his confession. Upon him depended the corroboration of Orchard's testimony. Adams had been kept in the state penitentiary and zealously guarded by the prosecution. During September 1906, his uncle intervened and Darrow and Richardson, the attorneys for Moyer, Haywood, and Pettibone, entered the case. They began *habeas corpus* proceedings and secured his release. He was immediately rearrested on a warrant charging him with having murdered two claim jumpers in 1904. In repudiating his confession Adams charged that Governor Gooding threatened to have him hanged if he did not corroborate Orchard's story.[17]

The petition for a writ of *habeas corpus* for Moyer, Haywood,

[11] *Appeal to Reason*, March 10, 1906.
[12] *Denver News*, March 14, 1906.
[13] *Denver Weekly News*, March 22, 1906.
[14] American Federation of Labor, *Proceedings*, 1906, p. 37.
[15] *Appeal to Reason*, April 28, 1906.
[16] *Ibid.*, July 14, 1906.
[17] *Denver News*, September 9, 1906.

and Pettibone was argued before the United States Supreme Court in October, and on December 3 the court handed down its decision. The majority denied the petition and remanded the case back to the Idaho courts. It was the opinion of the eight judges, who comprised the majority, that the method of extradition was not material. A strong dissenting opinion was written by Justice McKenna who contended that the defendants were victims of a conspiracy between the chief executives of two states and that their kidnaping was illegal and indefensible.[18]

Late in February 1907 Adams was brought to trial on the charge of murder of the claim jumpers. It was assumed by the defense that the purpose of pressing this charge was to secure a conviction and a club over Adams to force him to corroborate Orchard's confession. The jury disagreed.[19]

Haywood was first to be tried. The defense asked for a change of venue. The judge refused and the trial was set for May 9.[20]

Meantime the press of the country carried President Theodore Roosevelt's utterance on the case. He had engaged in a public argument with E. H. Harriman, the railway magnate, and in a private letter to Congressman Sherman he labeled Moyer, Haywood, and Debs, as well as Harriman "undesirable citizens." The letter was given to the press on the eve of the trial.[21]

On May 9 the defense petitioned for a bill of particulars which was denied by the judge and the selection of a jury began. Both sides were represented by distinguished counsel. The prosecution was led by James Hawley, a former governor, and Senator Borah. The defendants were represented by E. F. Richardson of Denver, one of the leading attorneys of the West, and Clarence Darrow, already a famous labor lawyer, and several others of lesser renown. Several panels were exhausted before a jury of ten farmers, a retired rancher, and a carpenter was finally selected on June 3.[22]

James Hawley opened the case against Haywood. He charged that the leadership of the Western Federation of Miners was a band of desperate men, employing criminals to murder and dynamite. The criminal activities were, he claimed, directed by an

[18] *Pettibone* v. *Nichols*, 203 U. S. 192 (1906); *Moyer* v. *Nichols*, 203 U. S. 221 (1906).
[19] *Denver Weekly News*, March 7, 1907.
[20] *Appeal to Reason*, April 6, 1907.
[21] *Current Literature*, June 1907, p. 593.
[22] Langdon, *op. cit.*, pp. 69–70.

"inner circle" whose leader was Haywood.[23] The witness upon whom the state's case rested was Harry Orchard. His confession had been heralded throughout the country and he now mounted the witness stand to reveal the record of infamy of the Western Federation of Miners. His testimony, at least to the newspapermen and the public avid for sensation, was not a disappointment. In his effort to serve the prosecution he did not spare himself. He admitted that his real name was Alfred Horsely and he told of a prolonged criminal career, including bigamy, theft, arson, and murder. He had joined the Western Federation of Miners at Burke, Idaho, soon to be employed as a professional assassin and dynamiter. He confessed to 26 murders, and to the dynamiting of the Vindicator mine and the Independence depot in the Cripple Creek district. All of these murders and dynamitings he had committed upon the orders of the so-called "inner circle." [24]

The strategy of the defense was to prove that in causing Steunenberg's death Orchard was actuated by personal malice. Witnesses were introduced who contradicted Orchard's testimony on numerous points, several testifying that he had sworn to kill Steunenberg in revenge for an expulsion instigated by the latter. The expulsion had forced Orchard to sell a one-sixteenth interest in a mine, in which a rich strike was subsequently made.[25] A former secretary of the Denver office of the Pinkerton Detective Agency, testifying for the defense, produced reports of the Pinkerton agents who operated as undercover men in the miners' union, which showed that they had always counseled violence.[26]

In the summing up of evidence the forensic skill of the attorneys shone brightly. In a speech lasting 11 hours, Darrow concentrated his bitter denunciation and biting satire upon Orchard and the chief prosecutor, James Hawley. Ironically, Hawley had been the attorney for the Western Federation of Miners in the early years of the organization. Darrow was followed by Borah on the side of the State. The case was given to the jury on July 28, and at eight o'clock in the evening a verdict of not guilty was rendered. Four of the jurymen had first wanted to convict Haywood of a lesser crime. The majority had, however, been im-

[23] *Denver News*, June 6, 1907.
[24] *Ibid.*
[25] *Arena*, September 1907, pp. 332–333.
[26] *Denver News*, July 3, 1907; Friedman, M., *The Pinkerton Labor Spy*, Wilshire Book Company, New York, 1907.

pressed by Darrow's daring challenge to hang Haywood if they thought him guilty, but not to compromise on a lesser verdict.[27] Immediately after the acquittal of Haywood, a demand for the release of the other two defendants on bonds was made by the defense attorneys. Moyer was released on $25,000 bail, but Pettibone was refused bail.[28]

A second effort to convict Steve Adams was made by the State. The State saw that a jury had refused to accept the uncorroborated testimony of Orchard and again sought to gain a stranglehold on Adams. Again the State failed to convict, the jury disagreeing.[29]

George Pettibone was brought to trial on November 26. Pettibone had not been a member of the Western Federation of Miners for years. He was in business in Denver, but the State claimed that he was the connecting link between the "inner circle" of the Western Federation of Miners and the hired assassins and dynamiters as well as paymaster and expert with explosives.[30] The trial was a repetition of the previous trial, except that the defense pursued a different method in discrediting Orchard's testimony. In the Haywood trial Richardson was unable to involve Orchard in a contradiction. At the Pettibone trial, the witness was cross-examined by Darrow who probed instead into his unsavory past prior to his joining the Western Federation of Miners. This jury likewise refused to believe Orchard, and Pettibone was acquitted on January 4, 1908. The case against Moyer was dismissed.[31] Orchard, the self-confessed murderer, was sentenced to be hanged with a recommendation for clemency.[32]

[27] *Appeal to Reason*, August 10, 1907.
[28] *Miners' Magazine*, August 8, 1907, p. 10.
[29] *Ibid.*, November 28, 1907, p. 11.
[30] *Denver News*, December 11, 1907.
[31] *Ibid.*, January 5, 1908.
[32] New York *Worker*, March 29, 1908.

CHAPTER XX

DUALISM, SPONTANEOUS AND PLANNED

Although the Western Federation of Miners, as we have seen, was no more extreme in its demands upon the employers than unions in the other sections of the country, the geographical factor combined with the extreme class war character of the Western struggles served to erect a barrier between the Western Federation of Miners and the American Federation of Labor.

Three years after its formation the Western Federation of Miners became affiliated with the American Federation of Labor and sent two delegates to its convention in 1896. The Western delegates pleaded for the indorsement of the Leadville strike, and for a resolution urging laboring men not to enlist with the National Guard.[1] The convention passed both resolutions, but on the matter of assistance to the Leadville strikers the practical result was *nil*. Therefore the disappointed Western miners severed their relations with the American Federation of Labor.[2]

The miners were, however, faced with the need of developing labor organizations outside the mines. A strike in a Western mining camp drew class lines very tight: whoever was not for the strikers was against them. Hence the need for labor allies and wider influence in the communities. A campaign to organize a Western labor movement independent of the American Federation of Labor was begun. The question of an independent Western labor movement was submitted to the membership of the Western Federation of Miners by the Executive Board on December 27, 1897.[3] Gompers at once saw the danger. In his report to his own convention in 1897 he decried sectionalism in the labor movement, and justified the inertia of his organization in the West on the ground of absorption in organizing activities in the industrialized East.[4]

Gompers' plea went unheeded, but as yet not for any reason of

[1] American Federation of Labor, *Proceedings*, 1896, pp. 62–63, 89–90.

[2] *Miners' Magazine*, November 1901, p. 9; American Labor Union, *Proceedings of the Fifth Annual Convention*, 1902, pp. 45–49.

[3] *Miners' Magazine*, January 1900, p. 24.

[4] American Federation of Labor, *Proceedings*, 1897, p. 8.

conflict in "philosophy." If the West was about to promote dualism, it was for pragmatic reasons. True, the Westerners were more radical but only in an activistic sense, which was not a class but a sectional peculiarity shared by the employers themselves. The Westerners, too, were concerned with job interests. However, their feeling that the international craft unions of Gompers' organization were blandly ignoring these very job interests of their crafts in the West, served only to strengthen their regional particularism.

The membership of the Western Federation of Miners indorsed the proposal for a Western labor center. Invitations went out to all the unions of the West. On May 10, 1898, 119 delegates met at Salt Lake City, Utah, and organized the Western Labor Union to function east of the Pacific and west of the Mississippi River. The country east of the Mississippi was left to the American Federation of Labor.[5]

The leading spirit of this Western labor center was Edward Boyce. As president of the Western Federation of Miners in 1896, he was one of the two delegates to the convention of the American Federation of Labor. He was the potent factor in the estrangement between the West and the East.

Born in Ireland in 1863, he emigrated to the United States at the age of nineteen. He tried his hand at railroading in Wisconsin, but soon left for Colorado where after another trial at railroading, he became a miner. In 1884 he joined the Leadville Miners' Union and the Knights of Labor. Three years later he moved to Wardner, Idaho, where he was employed in the mines until the first Cœur d'Alene strike. As mentioned above, he was one of those who, while imprisoned as a result of that strike, launched the Western Federation of Miners.

Although charged by Gompers with "vaulting ambition," it is easy to understand Boyce's objection to the American Federation of Labor. In temperament he was a Westerner in favor of vigorous decisive action against the non-union man and employer. Under his presidency from 1896 to 1902 the militant philosophy of the Western Federation was developed. In 1901 he came out for socialism, but his socialism had nothing to do either with the dualism which his organization sponsored or with the unfolding

[5] *Coast Seaman's Journal*, May 25, 1898, p. 1; *Miners' Magazine*, January 1900, p. 26.

class war. Both were outgrowths of the specific social set-up in which the organization operated. However, on a non-theoretical level Boyce's dualism did have significant reverberations. It gave the initial impetus to organization amongst the lower paid and unskilled workers largely overlooked by the unions of the American Federation of Labor absorbed in organizing their own crafts. Boyce was not a theorist, his acceptance of socialism having come at the virtual end of his labor career.

In his report to the convention of 1898 Gompers again called attention to the danger of a sectional division of the labor movement and expressed the hope that the forces of the wage earners would soon be united in their struggle for advancement.[6]

Gompers' advice was disregarded and the Western Labor Union went about establishing a number of organizations. A delegation from the convention of the American Federation of Labor of 1901 appeared before the convention of the Western Labor Union and pleaded for a reunited labor movement. "If the A. F. of L. was not sufficiently progressive, it is your duty to remain within it by joining the international unions and try to change it," Secretary Morrison told them.[7] Eugene Debs, who was present, denounced the relations existing between the American Federation of Labor and the National Civic Federation, and urged that unity of East and West in the labor movement be achieved on the basis of severance of relations with the Civic Federation and indorsement of independent political action.[8] The visit seemed to have for its only effect an awakening in the Westerners of a determination to expand East of the Mississippi, and to change the name from Western Labor Union to the American Labor Union. During 1903 the East was actually invaded in retaliation for an earlier invasion by the American Federation of Labor. A shoe strike was conducted in Haverhill, Massachusetts, in 1903.[9] The attempted expansion was a serious error, as it removed the organization from its customary setting and scattered its energies. Removed from the support of the well-organized metal miners, and face to face with the hostile craft unions of the East, the American Labor Union could make no headway.

The American Labor Union indorsed socialism, the co-operative

[6] American Federation of Labor, *Proceedings*, 1898, p. 8.
[7] American Labor Union, *Report of Fifth Annual Convention*, 1902, pp. 39–42.
[8] *Ibid.*, pp. 43–47.
[9] *American Labor Union Journal*, June 18, 1903.

commonwealth, and the collective ownership of the means of production and distribution.[10] On the practical side, however, it was like any other American union. The right to strike was strictly circumscribed and controlled by central authority.[11] Likewise, its socialism notwithstanding, the temper of the West showed itself in the advocacy of Oriental exclusion as a measure of wage protection.[12] The American Labor Union reached its peak in 1903. Then decline set in and subsequently its only significance was its minor part in the launching of the Industrial Workers of the World.

The dualism of the West was a pragmatic dualism springing, as we have seen, from geographic isolation and the need of the miners for reliable allies on the ground. What really divided it from the American Federation of Labor was not socialism and independent labor partyism. As a matter of fact, the Western miners had independently of Gompers practiced Gompers' nonpartisan policy of "rewarding your friends" on whatever ticket. As for the espousal of socialism, it came after a decade of fighting for existence against a capitalism which added to its economic preponderance a ruthless exercise of the physical power of government. In such a setting the Marxian theory of class struggle between the capitalist class and the proletariat came as a welcome illumination of real life. Yet the socialist theory of the class struggle notwithstanding, the Westerners were completely guided by their job interests, never failing to make overtures to the employers in search of an acceptable compromise and union recognition. Socialism was something which the embattled Western workingmen employed in ordering their own mental outlook and to give them inspiration, not a Procrustean bed of doctrinairism.

We now come to a wholly different species of dualism, a dualism of purely intellectualist origin and of doctrinaire impulse—a dualism which was a maneuver by political socialists when balked in their effort to capture the labor movement, to build up a rival to it under their own control. The promoter of this intellectualist dualism was Daniel DeLeon.

Born on the island of Curaçoa in 1852, DeLeon was sent to the gymnasium in Hildesheim, Germany, and later attended the

[10] *American Labor Union Journal*, December 11, 1902.

[11] American Labor Union, *Report of Proceedings of Sixth Annual Convention*. 1903, pp. 110–111.

[12] *Ibid.*, 1902, p. 15.

University of Leyden where he was graduated in 1872. He came to the United States and secured a position as teacher of mathematics at a school in Westchester county, New York, and later a lectureship in international law at Columbia. He became interested in the single tax and in 1886 supported Henry George for mayor. He was refused promotion to a professorship, resigned his connection with Columbia University and joined the Socialist Labor Party in 1889. Soon his ability and drive brought him to the front as the undisputed leader of the Party. In 1891 he became editor of the Party's official organ, *The People*, succeeding Lucien Sanial.[13] Possessed of great erudition and a command of many languages, he was nevertheless ignorant of the American scene and of the American mentality. To differ with his interpretation of the events of the day and to question his tactics was tantamount to a betrayal of the cause of labor. Master of studied vituperation, he never failed to denounce these "enemies" of the workers as "kangaroos, bums and labor fakirs." Notwithstanding his unstinted outpouring of energy in the revolutionary cause he never helped to arouse a submerged group from its inertia to struggle for a better life. DeLeon's insistence upon doctrinal purity finally ended in alienating even the majority of socialists. His activities widened the gulf between trade unionists and socialists at a time when the American labor movement was still hospitable to socialist ideas.

DeLeon's *bête noire* was Samuel Gompers, who was his very antithesis. Gompers was a reader of fundamental books, including the Marxian classics, and a thinker as well as a leader. But in his thinking processes he never failed to keep in a central position the aspirations for a better and securer livelihood of the average worker and the all-importance of cherishing the trade union organization and protecting it from the danger of disintegration. Cognizant of the American set-up which was the real environment of the labor movement in this country, and alive to the ease with which hostility to trade unionism can be aroused in America, increasing its vulnerability to attack, Gompers made himself the expounder of its virtues and the pleader for its rights. For forty-five years he was labor's official ambassador to the American public, appealing to justice and fair play as understood by the

[13] Johnson, Olive M., *Daniel DeLeon*, National Executive Committee of Socialist Labor Party, New York, 1923, pp. 11–19.

average American rather than to labor's "mission" to install the co-operative commonwealth through the class struggle. With all that, he indignantly denied the charges of the socialists that he believed "that the interests of worker and employer are identical." Yet he always sought to devise methods of conciliation and peaceful settlement of industrial disputes. A slight gain, provided it constituted a first step towards the wage earners' control over their jobs, was preferable to risking total defeat. No one, however, excelled Gompers in his vigorous attacks upon those he considered the enemies of trade unionism, whether open shop employers or doctrinaire revolutionaries.

At the beginning of the nineties, the Socialist Labor Party was the sole representative of orthodox Marxism in the United States. The Party, an outgrowth of the Workingmen's Party of the United States, had maintained a continuous existence since 1877 with its influence fluctuating between that of a diminutive propagandist group to the rôle of an advance guard of a genuine mass movement as in 1886–87. During the eighties the Knights of Labor and the American Federation of Labor were struggling for supremacy, and a united, closely knit group like the socialist could aspire to exercising a balance of power. As soon as the labor movement became stabilized, with the decline of the Knights of Labor, the socialists were reduced in importance. The young leaders of the American Federation of Labor, many of whom had served their intellectual apprenticeship in the socialist ranks and at least had experienced socialist intellectual molding, had learned from their trade union experiences to steer clear of all party politics including socialistic. The first open clash came at the Detroit convention of the American Federation of Labor in 1890, when Lucien Sanial sought to gain a seat as delegate from the Central Labor Federation of New York. Gompers had refused to this organization a charter because one of its affiliates was a political organization, the local section of the Socialist Labor Party. Gompers' position was upheld, after a long and acrimonious debate.[14]

The issue thus drawn, the leaders of the Socialist Labor Party began a vituperative campaign against the "pure and simple" trade unionists. DeLeon in *The People* coined the terms "labor faker" and "labor lieutenants of capitalism" to describe Gompers

[14] *An Interesting Discussion at the Tenth Annual Convention of American Federation of Labor*, Pamphlet, American Federation of Labor, New York, 1890.

and his associates. Many socialists, however, doubted the wisdom of these attacks upon leaders whose honesty they respected however much they differed from them on the philosophy of the labor movement.

In 1892 the Socialist Labor Party nominated a presidential ticket for the first time: Simon Wing of Massachusetts for President, and Charles H. Matchet of Brooklyn for Vice-President.[15] The ticket polled more than 21,000.[16]

In 1893 a beginning was made to capture the rapidly declining Knights of Labor. DeLeon ordered the socialist unions, including the United Hebrew Trades, to join and capture control of District Assembly 49, New York. At the General Assembly of 1893, the socialists in combination with the followers of James R. Sovereign, helped to defeat Powderly for Grand Master Workman and elected Sovereign in his place. At the convention of the Knights of Labor in 1894, the Sovereign and Powderly forces were equally divided. Under these conditions, the stage was set for a shrewd maneuver by DeLeon. On behalf of the eight socialist delegates from District Assembly 49, an agreement was made for the socialist delegation to support Sovereign, on condition that the editorship of the *Journal of the Knights of Labor* should be given to a man chosen by DeLeon. Being hard pressed, Sovereign agreed to the bargain, and as a result was re-elected to office.[17] After the convention, DeLeon, certain that the bargain would be kept, praised the Sovereign administration, contrasting the Knights with the "pure and simple" trade unionists of the American Federation of Labor.[18] But DeLeon rejoiced too soon. Sovereign, once re-elected, chose to forget the bargain with the socialists. It is probable that Sovereign saw that if he handed over the *Journal* to DeLeon he would seal his own doom as Grand Master Workman. To DeLeon this breach of promise was a double offense: duplicity in man to man dealing and, above all, treason to the working class. At the next General Assembly in 1895, the Sovereign forces improved upon their treatment of DeLeon by refusing to seat him as a delegate. This was almost tantamount to sacrilege. The cause of the proletariat called for instant revenge.

[15] *The People*, September 4, 1892.
[16] *The Socialist Almanac and Treasury of Facts*, prepared by Lucien Sanial, Socialist Labor Party, New York, 1898.
[17] *The People*, December 1, 1895.
[18] *Ibid.*, November 25, 1894.

Simultaneously with this defeat came a parallel disaster to DeLeon's policy in another and highly important quarter. In 1893 the American Federation of Labor had appeared on the verge of becoming a socialist organization. The convention by a narrow margin recommended a "political program" framed by Thomas J. Morgan, an old socialist war horse in Federation conventions, for the "favorable consideration" of the constituent unions. During the ensuing year a majority of the international unions voting on the "program," gave it indorsement. Yet in the convention of the Federation in 1894, Gompers succeeded in emasculating the "program" by eliminating the socialist plank and the recommendation for an independent labor party. In retaliation, the DeLeon group combined with Gompers' opponents to elect McBride of the United Mine Workers President,[19] causing Gompers a year's separation from the office which he filled for 37 years up to his death in 1924.

With total failure in both attempts to capture the existing labor movements, DeLeon's next step was the creation of a new national labor organization by the DeLeon controlled District Assembly 49, repudiating the general officers of the Knights of Labor and issuing an appeal to local assemblies and trade unions to join in organizing a new national trade and labor body, faithful to the doctrines of international socialism.[20] A conference attended by delegates from the New York Central Labor Federation, the Brooklyn Labor Federation, the United Hebrew Trades, and the Newark, New Jersey, Central Labor Federation, was held on December 10, 1895, and organized the Socialist Trade and Labor Alliance.[21]

The birth of the new pure and undefiled organization was announced to the world at a mass meeting in New York at Cooper Union. The convention of the American Federation of Labor was then in session in New York. DeLeon, eager to demonstrate that well-known trade union leaders approved of his step, invited several socialist delegates at that convention to speak at this meeting. Unaware of the real intentions of the promoter of the Cooper Union meeting, J. Mahlon Barnes, a leader of the International Cigar Makers' Union, and John F. Tobin, the President

[19] Commons and Associates, *op. cit.*, Vol. II, pp. 510–511.

[20] *Ibid.*, December 1, 1895; Stone, N. I., *The Attitude of the Socialists Toward the Trade Unions*, pamphlet, Volkszeitung Library, New York, 1900, p. 6.

[21] *The People*, December 15, 1895.

of the Boot and Shoe Workers' Union, appeared and delivered speeches. The last speaker was Daniel DeLeon and the new birth was officially proclaimed.[22] It was a still birth. Moreover, DeLeon, absorbed in Marxism, had failed to realize that to organized labor in America, just emerging from the internecine and destructive struggle with the Knights of Labor, which stamped into the mind of the labor movement an eternal fear of dualism, a new attempt at dualism would seem equivalent to high treason to labor—not indeed to an imaginary proletariat but to the half a million concrete wage earners organized in unions of their trade or industry. The cause of socialism never suffered a greater disaster in the United States—a disaster of its own making.

DeLeon's vigorous leadership had for its first effect an increase in membership of the Socialist Labor Party and a rekindling of enthusiasm among the older members. But opposition was not long in appearing. The socialists with trade union experience saw before long that DeLeon's policy of dualism was a short way to disaster. Furthermore, his insistence upon doctrinal orthodoxy and strict party discipline, inspired rebellion.[23] A group of leading Jewish socialists withdrew from the Party and organized an independent Jewish socialist paper, the *Vorwärts*, in 1897.[24]

DeLeon, however, was only fired to greater determination. In the national convention of the Socialist Labor Party in 1896 the paramount question was the indorsement of the Socialist Trade and Labor Alliance. DeLeon's resolution attacked both the Knights of Labor and the American Federation of Labor as "buffers of capitalism against whom every intelligent effort of the working class for emacipation has hitherto gone to pieces," and hailed "with unqualified joy the formation of the Socialist Trade and Labor Alliance." It was adopted by a vote of 71 to 6.[25]

The overwhelming vote was not a true register of the Party feelings. Many socialist trade unionists had serious misgivings, but for a time hesitated to express their opposition. They were deterred by the prestige of DeLeon's Marxian fundamentalism as well as by the fear of being "purged out" of the party for heresy.

[22] *Ibid.*, December 22, 1895; "Letters of Tobin and Barnes" in Stone, N. I., *op. cit.*, pp. 6–7.

[23] Letter of resignation of Frederick E. Martin, member of the National Executive Committee, in Socialist Labor Party collection in Wisconsin Historical Library.

[24] *The People*, July 10, 1898; Coleman, McAlister, *Eugene V. Debs*, Greenberg, New York, 1930, p. 193.

[25] Socialist Labor Party, *Proceedings of Ninth Annual Convention*, 1896, pp. 25–32.

In 1897 the large St. Louis section was suspended because it had admitted a person objectionable to DeLeon.[26]

In December 1898 the muffled opposition came out in the open. New York City had been chosen by the convention of 1896 as the seat of the National Executive Committee, the Committee to be chosen by the vote of the general membership of Greater New York.[27] New York was then all important in the control of Party policy. On December 14 the editor of *Volkszeitung*, owned by the Socialist Co-operative Publishing Association, in which the shares of stock were held by individual members of the Party, made bold to criticize the Party's trade union policy, and assailed dualism. DeLeon instantly demanded retraction.[28] The *Volkszeitung* refused to recede and widened its criticism to include the Party policy in general. This was *lèse majesté*.

The *Volkszeitung* could engage in a *fronde*, as it was not the property of the Party as such. DeLeon stood for the strictest application of Party discipline and pointed out additional deviations by the editors of the *Volkszeitung* from true Marxism, such as a series of articles asserting that taxation was of real importance to the workers under capitalism. On February 25, 1899, the *Volkszeitung* was censured by the National Executive Committee. The Socialist Co-operative Publishing Association [29] backed the editors and condemned DeLeon's autocracy.

The Publishing Association demanded the right to answer DeLeon's attacks in *The People*. The request was denied and the general membership was asked to vote on the question of severing the Party's relationship with the *Volkszeitung*.[30]

In July 1899 the factional fight reached a crisis. An election of delegates to the General Committee of Section New York took place. This was the committee which, under the resolution of the national convention of 1896, had the power of life and death over the selection and retention of the National Secretary and the National Executive Committee. The first meeting of the new committee on July 8, 1899, broke up in a riot. The opposition faction at a meeting on July 10, reorganized the National Committee and removed the National Secretary as well as DeLeon.

[26] Socialist Labor Party, *Proceedings of Tenth National Convention*, 1900, p. 11.
[27] *The People*, July 19, 1898.
[28] *Ibid.*, December 25, 1898; January 1, 1899.
[29] *Ibid.*, April 2, August 20, 1899.
[30] *Ibid.*, August 20, 1899.

It next attempted to take physical possession of the printing plant of *The People*, but the DeLeonites, aided by the police, were able to retain possession of the machinery and removed it out of the *Volkszeitung* building to a safer place.[31]

The split was now irrevocable, and each faction, insisting that it was the regular Socialist Labor Party, elected a National Secretary and a National Executive Committee, and published a weekly called *The People*. The right to the use of the name was settled by the court in favor of the DeLeon faction.[32]

The seceders held a convention at Rochester, New York, on January 31, 1900. It repudiated DeLeon's attitude toward the trade unions, nominated Job Harriman and Max Hayes [33] on its Presidential ticket, and indorsed a union with an independent socialist group in the Middle West. The regular Socialist Labor Party nominated James F. Maloney of Massachusetts and Valentine Remmel of Pennsylvania.

The DeLeon Socialist Labor Party was by and large a growth alien to the American environment. It represented a group of doctrinaire leaders and a shifting following of foreign-born wage earners and petty tradesmen, to whom membership in that party was a phase, an early phase in their Americanization. But there has always existed a purely American strain of social and political radicalism, the anti-monopoly radicalism of the agricultural areas, from Shays' rebellion to the Populists. On the fringe of this main stem of radicalism, there developed in the nineties an emotional craving for a "new deal" in radicalism which found its first expression in a "colonizing" kind of socialism. It came in part as a reaction to the bitter industrial struggles and in part as a disillusionment with the promises of populism following its surrender to Bryan.

In 1893, what has been termed the "Yankeefying" of socialism was begun by J. A. Wayland, who founded the *Coming Nation*, at Greensburg, Indiana, which with its successor, the *Appeal to Reason*, was destined to wield a tremendous influence in the Middle West and Southwest. The *Coming Nation* fought "for a govern-

[31] *Wisconsin Vorwärts*, July 16, 1899.

[32] Hillquit, M., *History of Socialism in the United States*, Funk and Wagnalls Company, New York, 1906, pp. 326–327; Socialist Labor Party, *Proceedings*, 1900, pp. 27–33.

[33] *Workers' Call*, February 10, 1900; *Social Democratic Herald*, February 3, 10, 1900.

ment of, by and for the people as outlined in Bellamy's *Looking Backward.*" This weekly, written in short, snappy paragraphs, vigorously assailed the trusts, the rich, poverty, and the money power; and advocated a program of cheap money, anti-monopoly, and government ownership. The socialism represented by the *Coming Nation* gained many adherents, speaking as it did the language traditional of American radicalism. It had the advantage over DeLeon's brand in that it placed no doctrinal burdens upon the individual, nor did it annoy him with heavy economic analyses. It gave easy and ready answers to the problems confronting the average man.

In 1894, J. A. Wayland, in true Yankee fashion, sought to demonstrate the feasibility of the new gospel. In July he secured 1000 acres near Tennessee City, Tennessee, and launched his experiment in co-operative living. The *Coming Nation* and the printing plant were moved to the colony, but dissension soon forced Wayland's withdrawal, who now began publishing the *Appeal to Reason*, at first in Kansas City and later at Girard, Kansas.[34] The *Appeal* was the first successful socialist propaganda sheet. Absent from it were dissertations on the class struggle and Marxian dialectical socialism. The *Appeal* with its circulation running into several hundred thousand, though despised by theoretical socialists, made many times as many conversions and socialist votes as the pure fountain head of scientific socialism, *The People.*

In addition to this socialism of Populist derivation, an American variety of the European revisionist socialism developed in Milwaukee, Wisconsin. Until the early nineties Milwaukee's socialism did not differ from the socialism of the German-speaking people in the East. It was the Socialist Labor Party variety. With the decrease in German immigration in the eighties, Milwaukee's socialism faced a future of declining influence. From that it was rescued by a sagacious intellectual, Victor L. Berger, an immigrant from Austria. His appointment to the editorship of the *Wisconsin Vorwärts*, in 1893 was a turning point. Berger, who understood people and working people believed in emphasizing immediate demands. To attain these he was not averse to co-operation with other reform groups. Berger's group, having broken with Marxian orthodoxy, differed also from the socialists who had come over

[34] *Social Democracy Red Book*, Terre Haute, Indiana, 1900, p. 46; *Appeal to Reason*, August 31, 1895.

from populism. Berger, having gone through the Marxian mill, was no enemy of theorizing. He merely insisted on realistic theories, leading up to tactics fraught with success among the masses. His position was essentially an anticipation of the Revisionism of Bernstein in Germany.

The Berger socialists co-operated with the People's Party in 1894, and at the national convention of the People's Party in 1896, Berger helped to organize a Presidential boom for Eugene V. Debs.[35] When the Populists indorsed Bryan and free silver, the Milwaukee socialists saw that nothing further was to be gained by staying with the Populists.

After campaigning for Bryan, Debs publicly announced his conversion to socialism. Berger had been his socialist god-father, having visited him during his term in the Woodstock, Illinois, jail. His first socialist activity was as participant in a projected venture in "utopian" socialism, the Brotherhood of the Co-operative Commonwealth, with Henry D. Lloyd of Chicago and the Reverend Myron W. Reed of Colorado, the tried friend of the Western Federation of Miners. The Brotherhood planned to colonize and eventually capture for socialism the government of one of the Western states. Debs was organizer for the Brotherhood.[36]

Eugene Victor Debs was born in Terre Haute, Indiana, in 1855. At 15 he fired his first railroad engine, and soon joined the newly formed Brotherhood. In 1878 he was made editor of the *Locomotive-Firemen's Magazine* and later Secretary-Treasurer of the Brotherhood. For years he served the Brotherhood, his magnetic hold on people constantly growing. When he sought to resign his offices in 1893, due to differences of opinion with the other officers, the convention rose as one man to force him at least to keep his editor's position.[37] His difference of opinion on labor organization was, however, too great. His famous career as organizer and leader of the American Railway Union followed.[38]

Debs was the evangelist of socialism for more than a quarter of a century. He had no equal in arousing a labor audience to a high pitch of generous idealism. Through the genuine passion of his humanitarianism, he produced in his hearers the deepest emotion of self-forgetful solidarity with all sufferers regardless of their race,

[35] *Social Democracy Red Book*, pp. 53–54.
[36] *Social-Democrat*, July 1, 1897.
[37] Coleman, McAlister, *Eugene V. Debs*, pp. 14, 49, 101.
[38] Commons and Associates, *op. cit.*, Vol. II, pp. 501–503.

nationality, or country. Debs was too much the embodiment of solidarity of all labor to have an "organization consciousness" necessary to the "executive" type of labor leader. Dualism held no terrors to him so long as the new dual organization stood on what to him was the right labor platform. But there was nothing in his dualism of DeLeon's bitter hatred of the "labor fakers."

In June 1897, Debs convened a special meeting of the American Railway Union. It took three days to liquidate the organization. The meeting was then enlarged to include representatives from reform groups and free lances—sixty all and all,[39] and the Social-Democracy of America was launched. The Social-Democracy favored the co-operative commonwealth, public ownership of public utilities and trustified industries and monopolies, progressive reduction of the hours of labor, and public works for the unemployed supported by public credit.

The Social-Democracy took over from the Brotherhood of the Co-operative Commonwealth its pet colonization scheme, which, as was seen, beginning with a gradual settlement of the membership in colonies in one of the Western states, would end by capturing control of the state and transforming it into a socialist state. They picked a colonization committee of three, and an executive committee made up of Debs and of four leaders of the American Railway Union who were his fellow convicts in Woodstock.[40]

The colonization program pleased many anarchist groups and free lance radicals. The socialists were, however, yearning for political action. In the next convention on June 7, 1898, in Chicago, these differences came to a head. The majority of the platform committee produced a report opposing colonization. The "colonizers" assailed the political actionists as "German class struggle" socialists and intellectual aliens. The colonizers won by a vote of 52 to 37. Thereupon Delegate Isaac Hourwich, of New York, led a group of bolters to another hall. Debs was with the bolters.[41] The seceding delegates, representing 66 branches in New York, New England, Tennessee, Wisconsin, Colorado, and Missouri, met with Frederick Heath of Milwaukee as chairman and organized the Social-Democratic Party of America.[42] The platform was largely a copy of the program of the Social-Democracy. An execu-

[39] *The Socialist Alliance*, June 1897.
[40] *Social-Democrat*, July 4, 1897.
[41] *Ibid.*, June 16, 1898.
[42] *Wisconsin Vorwärts*, June 11, 1898.

tive committee of Jesse Cox, Frederick Heath, Victor Berger, Eugene Debs, and Seymour Steadman was elected. The organization favored co-operation with the trade unions, and warned against allowing differences in political views to foment dual economic organization.[43]

The Social-Democratic Party had discarded utopian socialism but its program, instead of conforming to pure Marxism, was a mixture of populism and revisionism. In the next few years the Social-Democratic Party gained membership and even succeeded in electing some local officers in Milwaukee and Haverhill, Massachusetts.[44]

The anti-DeLeon faction of the Socialist Labor Party, which, as we have seen, had seceded from the parent body in 1899, made overtures to the Social-Democratic Party for unity. The latter was not at first willing. Among its influential members were persons who had either been expelled from the Socialist Labor Party or had left voluntarily. Their prejudice extended even to the seceded faction of that party—so great was their distrust of the DeLeon schooling. As a matter of fact, this fear was entirely without foundation. The rebels against DeLeon, though they spoke the language of Marx, really felt and thought like Bernstein. They wanted a *rapprochement* with the American Federation of Labor and a more flexible policy all around. At last a working agreement was devised, and a combination ticket with Debs for President and Job Harriman for Vice-President was agreed upon. The matter of merging the two parties was left to a referendum vote.[45]

An obstacle to the merger was the choice of a party name and headquarters. The Social-Democratic Party charged the ex-DeLeonites with breach of their agreement to accept the name of Social-Democratic Party for the new organization. Debs and Berger were among those unconvinced of the good faith of the seceding Socialist Laborites.[46] Due to their influence the proposal for unity was defeated by a vote of 1213 to 939.[47] This led to a split in the Social-Democratic Party. A faction favoring unity under James F. Carey of Haverhill and George Hohen of St. Louis, set up as a rival Social-Democratic Party.[48]

[43] *Social-Democratic Herald*, July 9, 1898; January 21, 1899.
[44] Hillquit, M., *op. cit.*, p. 333.
[45] *Social-Democratic Herald*, March 17, 1900.
[46] *Ibid.*, April 7, 14, 21, 1900.
[47] *Ibid.*, May 19, 1900.
[48] *Ibid.*, June 2, 1900.

The unifying influence of the three socialist groups was their common Presidential ticket. It succeeded in polling 97,730 votes, a larger vote than had ever been polled by the Socialist Labor Party.[49]

This success paved the way for ultimate unity. In January 1901 the Debs-Berger Social-Democratic Party met in special convention and indorsed unity.[50] The three socialist parties held a Unity Convention in Indianapolis on July 29, 1901, and founded the Socialist Party of America. All socialists, except the DeLeon Socialist Labor Party, were now brought into one organization.[51]

The united party steered clear of the two cardinal errors committed by DeLeon: dualism and overcentralization. But outside of the larger urban centers its appeal sprang from its emotional heritage from populism. That was the secret of its subsequent spread to the farming areas of the Middle and Far West. Debs' warm and all-embracing humanitarianism, his appeal for justice and fair play were far more of a piece with the reform movements of the frontier than with dialectical Marxism. The Socialist Party never hindered its locals from making their own adjustments to conditions. The Populists, virtually left without a party after 1900, found a ready welcome with the Socialist Party, at a minimum cost in change in ideology.

[49] Hillquit, M., *op. cit.*, p. 337.
[50] *Social-Democratic Herald*, January 26, 1901.
[51] *The Worker*, August 4, 11, 1901.

CHAPTER XXI

DUALISM IN THE WEST

The need of the Western Federation of Miners for broadening its base by a closer union with other labor organizations, which, as we have seen, was the drive behind the Western Labor Union and the American Labor Union, continued to press after the failure of these attempted federations. Neither did the American Federation of Labor accept a condition of permanent schism or dualism in the labor movement. At the convention of the Western Federation of Miners in 1904 a committee from the American Federation of Labor and the United Mine Workers of America came with an appeal for unity. The Western miners were willing to consider the matter anew and appointed a committee to negotiate.[1] The committee recommended reaffiliation of the Western Federation of Miners with the American Federation of Labor, but the convention refused, urging instead an amalgamation of the American Federation of Labor and the American Labor Union.[2] Of course it was out of the question that the American Federation of Labor, with its ingrained hatred of dualism, should consent to recognize the American Labor Union to that extent. At the same time, the Western Federation of Miners was hardly inclined to play the returning prodigal son. Since its withdrawal from the American Federation of Labor in 1896, the gulf between them, originally due to geographic remoteness and to difference in temperament between East and West, had become widened by theoretical differences, primarily socialism. Moreover, the Western social "set-up" tended to favor the acceptance of independent working class political action. Consequently further efforts towards a new labor federation were in order. In the fall of 1904, six radical labor leaders and journalists, among them an ex-priest, Thomas J. Haggerty, and William E. Troutman, editor of the *Brauer Zeitung*, determined to call a secret conference of 36 left wing unionists and socialists to meet at Chicago on

[1] Western Federation of Miners, *Proceedings of Twelfth Annual Convention*, pp. 249–250.

[2] *Ibid.*, p. 254.

January 2, 1905. All accepted excepting Victor Berger, of Milwaukee, and Max Hayes, editor of the socialist *Cleveland Citizen* and prominent in the typographical union.[3]

The conference stayed in session three days. The only organization represented was the Western Federation of Miners; all others came as individuals.[4] They were mostly persons of lesser renown, except Debs and Mother Jones, already then a leading organizer of miners. The conference determined to call a convention for June 27, broadcasting its invitation to all radical labor groups, and issued a statement of principles. The manifesto was an analysis of industrial relations and social tendencies from the revolutionary point of view. Its faith in the efficacy of the labor union against capitalism showed the influence of Father Haggerty and the Western industrial socialists. The American Federation of Labor was severely criticized. In face of the rapid elimination of skill by the machine and the resulting degradation of the workers, it was charged with dividing them by rigid lines. The only proper array of labor in the "irrepressible conflict between the capitalist class and the working class" was "one great industrial union embracing all industries,—providing for craft autonomy locally, industrial autonomy nationally, and working class unity generally." [5] The Executive Council of the American Federation of Labor retaliated by urging its affiliates to discontinue their support of the Western Federation of Miners as a participant in this move for dualism.[6] This had no effect on the Western miners.[7] Their interest in the venture was principally pragmatic—the difficulties of the organization acting alone despite the heroism and sacrifice of the membership.[8]

Ernest Unterman, a noted socialist writer and subsequently a translator of Marx's *Capital*, in an article in the official organ of the American Labor Union, *The Voice of Labor*, warned the trusting Westerners of the danger of taking DeLeon and his Socialist Trade and Labor Alliance into the bosom of the new movement.[9]

[3] St. John, Vincent, *The I. W. W., Its History, Structure and Methods*, revised, pamphlet, I. W. W., Chicago, 1919, pp. 3–4.
[4] *Voice of Labor*, March 1905, p. 3.
[5] *Manifesto of Industrial Unionists*, leaflet.
[6] Western Federation of Miners, *Proceedings of Thirteenth Annual Convention*, 1905, p. 19.
[7] *Ibid.*, "Report of President Moyer," p. 21.
[8] *Ibid.*, p. 219.
[9] *Voice of Labor*, May 1905, pp. 8–10.

The convention met on June 27, 1905. It was a rather heterogeneous aggregation. Alongside the delegates from the Western Federation of Miners, one of the most important and most stable unions in the whole country at that time, sat delegates from virtually paper organizations like the American Labor Union and the Socialist Trade and Labor Alliance—in addition to representatives of several local unions. Many others came as individuals, predominantly Socialist and Socialist Labor Party intellectuals. The convention came down to business by ruling that only where delegates came empowered to affiliate their organizations with the new movement would their voting strength be based on membership. Otherwise a delegate cast but one vote. Consequently control remained with the Western Federation of Miners and its American Labor Union allies. There were present 186 delegates from thirty-four state, district, and national organizations.[10]

The preamble adopted was couched in ringing class struggle terminology and indorsed independent working class political action, but without mentioning a specific party. The name of Industrial Workers of the World was chosen. The plan of organization called for thirteen departments to include every industry in the United States. Ten thousand organized in one or closely related industries could form a department. Charles O. Sherman of the United Metal Workers, a group seceded from the International Association of Machinists, was elected President, William E. Troutman Secretary-Treasurer, and an Executive Board of five including Moyer representing the Department of Mining.[11]

The results of the first year were disappointing. The promoters had overestimated the power of "ideology" and underestimated the fear of dualism and division. No unions seceded from the American Federation of Labor. Moreover, enthusiasm for the Industrial Workers of the World was lagging even in some of the local units of the American Labor Union and the United Metal Workers, already affiliated as a whole.[12]

At the second convention in September 1906, a contest broke out between "conservatives" and radicals. The fight was between two different attitudes towards unionism. The "conservatives," led by Acting President Mahoney of the Western Federation

[10] Industrial Workers of the World, *Proceedings of First Annual Convention*, 1905, pp. 3, 9–11, 22–24.

[11] *Ibid.*, pp. 295–299, 437.

[12] I. W. W., *Proceedings of Second Annual Convention*, pp. 43–46.

of Miners, while willing to render lip service to a radical program, were concerned chiefly with a more effective organization of labor. John McMullen, another Western Federation delegate, put it pithily when he said that "the West does not want a revolutionary I. W. W." [13] Daniel DeLeon, Troutman, and Vincent St. John headed the revolutionists. President Sherman sided with the conservatives. He was charged by the revolutionists with financial irregularities. As they had the majority they removed him and abolished the office of President altogether. Another conservative delegate was unseated on a technicality.[14] The summary removal of Sherman who had been elected by a referendum vote and the abolition of the office gave a number of the delegates, amongst them three out of the five representatives of the Western Federation of Miners, an excuse for bolting the convention.[15]

The vote of the convention did not completely decide the struggle for control of the Industrial Workers of the World. Acting President Mahoney of the Western Federation of Miners took the position that the convention had no right to amend the constitution without a referendum vote and that Sherman was still President of the Industrial Workers of the World.[16] Sherman, encouraged by Mahoney, prevented the officers elected at the convention from getting control of the offices. Troutman appealed to the courts and secured an injunction. Sherman was victorious in court, as the injunction was later dissolved. However, he withdrew and set up a shortlived Industrial Workers of the World of his own. The Troutman faction gained possession of the original organization.[17]

Both factions strove for the approval of the Western Federation of Miners. Its own delegation at the second convention of the Industrial Workers of the World was split, two siding with Mahoney, and St. John and Albert Ryan aligned themselves with the Troutman group.[18] The Executive Board of the Western Federation of Miners sided with Mahoney and the question of supporting either the Sherman or Troutman Industrial Workers of the World was submitted to a referendum vote of the member-

[13] *The Daily People*, September 29, 1906.
[14] I. W. W., *Proceedings Second Annual Convention*, p. 246.
[15] *Ibid.*, p. 484.
[16] Western Federation of Miners, *Proceedings of Fifteenth Annual Convention*, 1907, p. 37.
[17] *Ibid.*, pp. 237–238.
[18] *Miners' Magazine*, October 11, 1906, p. 7.

ship. The vote was overwhelmingly against paying per capita tax to either faction.[19] At the next convention of the Western Federation of Miners, in 1907, the struggle continued and the issue was debated for several days. Acting Secretary-Treasurer Kirwan exclaimed in despair that the Industrial Workers of the World had become a millstone around the neck of the Western Federation. The convention upheld Mahoney by a vote of 239½ to 114.[20]

The attitude of the Western Federation of Miners was affected by the course of a conflict in Goldfield, Nevada, in 1907, which gave the Federation an opportunity to test the value of its affiliation with the Industrial Workers of the World. A conflict between the miners and mine owners over wages and working conditions, accompanied by the usual outbreaks of violence, the activities of a citizens committee, and the calling in of troops (in this instance Federal troops since Nevada had no state militia), was complicated on the one hand by a jurisdictional dispute between the local carpenters' union and the Western Federation of Miners, and on the other hand by a sympathetic general strike of cooks, waiters, bartenders and others organized under the Industrial Workers of the World. The miners discovered that the broadened labor front, by the inclusion of the non-miner I. W. W. contingent, had, if anything, produced a greater hostility on the part of the business community. The strike was completely lost.[21]

Yet the idea of a unifying labor center had taken such strong possession of the Western Federation of Miners that notwithstanding its discouraging experiences, it made still another effort. It invited the contending factions of the Industrial Workers of the World, the brewery workers, then at loggerheads with the American Federation of Labor on the issue of industrial unionism, and other labor organizations favoring industrial unionism, to get together for another attempt.[22] The response was hardly encouraging. The outside organizations were lukewarm and the Trautman faction sent a scorning refusal.[23] The lesson did not go un-

[19] Western Federation of Miners, *Proceedings of Fifteenth Annual Convention*, 1907, p. 37.

[20] *Ibid.*, p. 597.

[21] *Papers Relative to Labor Troubles of Goldfield, Nevada*, House Document No. 607, 60th Congress, 1st Session, pp. 20–26.

[22] Western Federation of Miners, *Proceedings of Fifteenth Annual Convention*, pp. 788–789.

[23] *Industrial Union Bulletin*, January 25, 1908.

heeded. President Moyer warned the next convention of the Western Federation against further experiments. To be sure, he still believed in industrial unionism, but it was evident to him that the time was not ripe for a national labor federation on a strictly industrial basis.[24]

The struggle in 1906 resulted in the withdrawal of the charter members of the new organization who were identified with the Socialist Party. They concluded that another organization had been broken on the rocks of DeLeon's duplicity and intrigue. Moreover, a further split was unavoidable. The two groups that now remained in the I. W. W. were temperamentally too incompatible for lasting co-operation. DeLeon, for all his revolutionism, was for fighting capitalism on the "civilized plane." The Western workers from the unskilled or semi-skilled industries who predominated numerically even after the withdrawal of the Western Federation of Miners, were impervious to DeLeon's theoretical refinements and "civilized" inhibitions. For DeLeon's Socialist Labor Party these raw Westerners showed no concern; rather they resisted his efforts to exploit their movement in the interest of a political party. A member of the Executive Board attacked the pretensions of the DeLeonites. This was a signal for a typical DeLeon campaign. *The People* charged the opponents of political action with advocating "Veiled Dynamitism." [25] But effective as DeLeon's usual strategy had proved in controlling organizations of Eastern socialists and intellectuals, it made no impression on DeLeon's present enemies who, he suspected, were not genuine but slum proletarians. DeLeon's sense for the proprieties was outraged by a tour of the "overall brigade," under the leadership of John H. Walsh. It had made a successful "box-car tour" from the Pacific Coast to Chicago. Dressed in blue denim overalls, black shirts and red ties and wearing I. W. W. buttons, this brigade traveled in freight cars holding meetings at the important towns on the way. DeLeon was especially shocked by the satirical refrain of "Hallelujah! I'm a Bum," which resounded at each meeting.

At the next convention in 1908, the overall brigade showed itself superior to the astute DeLeon in parliamentary maneuvering.

[24] Western Federation of Miners, *Proceedings Sixteenth Annual Convention*, 1908, pp. 21–24.

[25] *Industrial Union Bulletin*, March 14 and April 25, 1908.

On the flimsy charge that he was a delegate from a union in a different industry from his own, he was unceremoniously cast out.[26] He then set up another rival I. W. W. with headquarters in Detroit. The victors at the convention eliminated the political clause from the preamble.

With DeLeon out, the I. W. W. became a true mouthpiece of the migratory and unskilled workers. The class struggle and the ultimate goal of overthrowing capitalism remained its chief mental baggage, but theoretical refinements were replaced by direct speech intelligible to the unlettered. Its radicalism became a purely activistic one, and in its subsequent stormy and dramatic career it showed little concern over its lack of standing with recognized socialist theoreticians. This proletarian organization of migratory and unskilled workers, proudly calling itself a "rabble," was headed for a career of innumerable industrial conflicts against the worst kinds of exploitation. Its revolutionary slogans merged with concrete demands for improvement of job conditions in these forsaken corners of American industry.[27] The Industrial Workers of the World were active West and East. In the West it championed the rights of the migratory worker in lumber camps, on construction jobs, and in agriculture and fruit growing. In the East it put itself at the head of the rebellions of the unorganized foreign-speaking factory workers.

A characteristic form of the struggles in the West, 1909–12, was the "free speech" fight. It was not an attempt to vindicate a constitutional right. Nor was it a mere subterfuge to gain sympathy and notoriety. Its basis was practical. The right to use the city streets for agitational purposes was indispensable to the I. W. W. Largely made up of migratory workers in isolated logging or construction camps, day and night under the eyes of foremen, the I. W. W. agitators depended on the freedom to do their recruiting in the streets adjoining the employment offices and lodging houses used by the workers between jobs. Jobs were generally secured through employment agencies which, at that time, escaped regulation by authority. Often workingmen were induced to "buy" distant jobs which upon their arrival proved non-existent. A more subtle form of deception and exploitation was a secret

[26] *The People*, October 3, 1908; *Industrial Union Bulletin*, October 10, 1908.

[27] Brissenden, Paul F., *The I. W. W., A Study of American Syndicalism*, Columbia University Press, New York, 1919, pp. 231–242.

arrangement between the "shark" and the foreman to put the new arrival to work, but to discharge him shortly thereafter, thus multiplying opportunities for split fees. The exploited workers generally found city officials uninterested in their stories.[28] Here was a natural opportunity for the I. W. W.

The first campaign against the employment "shark," eventuating in a free speech fight, was in Spokane, Washington, in 1909. Spokane is one of the important centers for supplying the railroad, farming, and lumber industries of the Northwest with casual labor. The campaign began with the slogan "Don't Buy Jobs," and a street-speaking crusade against the agencies. It was gaining headway, and to combat this threat, the agencies formed the Associated Agencies of Spokane. The new organization succeeded in putting through the municipal council an anti-street-speaking ordinance on December 22, 1908. Notice was served on the I. W. W. that street meetings were to cease on January 1. The ordinance was ignored, and in February 1909, a demonstration led by the I. W. W. resulted in damage to several of the employment agencies. The ordinance was then invoked and the police forbade the I. W. W. to hold street meetings. For a time the order was obeyed, but in March it was decided to defy the authorities. Organizer Walsh, the leader of the "overall brigade" which DeLeon had found so distasteful, and 48 others were arrested for street speaking. All but Walsh were discharged and it was decided to make his a test case. He was found guilty, but the case was quietly dropped. For a time thereafter the I. W. W. refrained from violating the ordinance, which applied to other organizations as well. However, religious groups like the Salvation Army were chafing under the restrictions and succeeded in securing exemption. The I. W. W. was aroused by the discrimination and on September 28 a street meeting was begun. The speaker was arrested but his case was dismissed. On October 25 Organizer James P. Thompson was arrested for speaking on the street. He was tried and the trial judge declared the second ordinance unconstitutional. He ruled, however, that the first ordinance prohibiting all street meetings was in force. While the case was pending the Spokane membership decided to carry on street meetings regardless of the outcome of the test case. An hour after the release of Thompson on Novem-

[28] Flynn, Elizabeth Gurley, "The Free Speech Fight in Spokane," *International Socialist Review*, December 1909, pp. 483–487.

ber 2, 1909, the real fight for free speech on the city streets of Spokane began.[29]

Squads of I. W. W. members proceeded from their headquarters to enforce their right to speak on the streets. As soon as one speaker was arrested, another took his place on an improvised platform. By the second day 150 free speech fighters had been lodged in jail. The prisoners were inhumanly crowded and as a reply to a noisy protest the police turned on the steam and closed all ventilation in the jail. Many of the prisoners fainted.[30]

The fight continued and the same method was employed. Before long abandoned schoolhouses had to be pressed into service as temporary houses of detention.[31] "Foot loose rebels" outside of Spokane were called in as re-enforcements. A mass pilgrimage to Spokane commenced in box cars, "side door pullmans," and on the rods of passenger trains, from different points throughout the Western country.[32]

As rapidly as the free speech fighters mounted the platform they were taken to jail, charged with disorderly conduct and sentenced to thirty days at hard labor. This fate did not escape Frank H. Little, lynched in Butte in 1917, who contented himself with reading from a platform the Declaration of Independence. At the end of ten days 300 men were imprisoned. They were sent to the rock pile and sentenced to bread and water for refusing to work. A hunger strike followed but the Outside Committee advised its discontinuance on strategic grounds.[33] To break the fight several leaders, including the editor of the official *Industrial Worker*, were seized and charged with conspiracy.[34]

The imprisonment and maltreatment of the free speech fighters caused a movement of protest. The Western Federation of Miners of the Cœur d'Alene district voted to boycott all goods coming from Spokane. The Central Labor Union of Spokane, affiliated with the American Federation of Labor, demanded by unanimous vote the repeal of the ordinance.[35] Taxpayers not concerned with free speech began to protest a policy which compelled the city

[29] *Industrial Worker*, March 19, 1910.
[30] *Ibid.*
[31] Spokane *Spokesman-Review*, November 5, 1909.
[32] *New York Call*, November 19, 1909.
[33] *Industrial Worker*, March 19, 1910.
[34] *New York Call*, November 12, 1909.
[35] *Ibid.*, November 18, 1909.

to feed more than 400 prisoners and employ 100 special police.[36] Reprisals against the leaders continued. One of the directors of the fight was convicted of conspiracy to disturb the peace and sentenced to six months' imprisonment.[37] Elizabeth Gurley Flynn, the temporary editor of the *Industrial Worker*, was held on $5000 bonds on charges of conspiracy.[38]

As the sentences of some of the free speech fighters expired, many repeated the offense and were returned to jail. The struggle had apparently reached a stalemate. In January, 1910, Vincent St. John, Secretary-Treasurer of the I. W. W., appealed to the membership at large to proceed to Spokane in great numbers so as to be on hand at the reopening of the fight on March 1.[39]

Efforts at peace were attempted before the opening of the spring campaign. On February 28 an I. W. W. committee called on the city officials. The mayor admitted that he was opposed to the ordinance, but pleaded that his hands were tied. At a further meeting on March 3 with the mayor and the chief law enforcing officials of the city and county, the I. W. W. committee presented four conditions: First, freedom of assemblage for the I. W. W. and no intimidation of landlords renting halls to the organization; second, freedom of the press and the right to sell I. W. W. literature; third, release of I. W. W. prisoners from the city and county jails; and fourth, a specific grant of the use of the streets for public meetings.

The authorities granted the first two demands, and also agreed to the gradual release of the prisoners. In return the authorities demanded that National Organizer Fred Heselwood, in charge of the "free speech" headquarters located at Cœur d'Alene, should surrender as hostage; he would then be released on $2000 bonds and the charges against him would be dropped after ninety days. The meeting adjourned and reassembled at Cœur d'Alene with Heselwood and the I. W. W. attorney present. The city's conditions were accepted and they were later ratified by the I. W. W. membership in Spokane and by the prisoners in jail. The fight for freedom of speech in Spokane was ended.[40]

The successful free speech fight in Spokane was followed by

[36] *Ibid.*, November 24, 1909.
[37] *Ibid.*, December 1, 1909.
[38] *Ibid.*, December 2, 1909.
[39] *Industrial Worker*, February 12, 19, 1910.
[40] *Ibid.*, March 12, 1910.

others. The authorities usually denied that they were intent upon suppressing free speech, but asserted that they merely desired to keep it within "respectable bounds." Yet in reality the strange gospel of direct action injected into a small Western community produced fear and anger and a desire for suppression. The free speech fight was admirably devised to hold that impulse in check. Filling the jail with "foot loose rebels," made the suppression of free speech and of the organizing activities of the I. W. W. a costly experiment.

Between 1909 and 1911 the most important free speech fights were in Fresno, California, Victoria, B. C., Kansas City, Mo., and Aberdeen, Wash. They were all successful in the end, the most serious conflicts having occurred in Fresno and in Aberdeeen.[41]

The San Diego, California, fight in 1912 was the supreme free speech fight of the I. W. W. It transcended all the others through its character of open class war, in which conservative unions found themselves aligned with socialists and the I. W. W. in a common defense against a united employer attack. Furthermore, in San Diego constituted authority played a minor rôle as compared with extra-legal *vigilantes*, always characteristic of the West, but now, with the recent experience in Europe before us, properly to be classed with the fascist formations in Italy and Germany.

In November 1911, at a banquet held in San Diego Harrison Gray Otis, the publisher of the *Los Angeles Times*, and Secretary Zeehandelaar of the California Merchants and Manufacturers Association urged the suppression of street speaking.[42] On January 8, 1912, an ordinance creating a restricted district, to become effective a month later, was passed by the city council. A Free Speech League was organized and, on the day the ordinance became effective, a parade of 2500 protesting against the ordinance was held. Simultaneously open violations began. A week later more than 150 were in jail.[43] The prisoners demanded jury trials, which were granted. Arrests continued. On February 26 the trade unionists sent a committee to the chief of police and informed him that they were supporting the free speech fight.[44]

Inhuman treatment of the free speech prisoners failed to deter

[41] *Industrial Worker*, August 3, 1911; November 16, 1911; and December 7, 14, 1911.
[42] *Los Angeles Citizen*, April 12, 1912.
[43] *Industrial Worker*, February 22, 1912.
[44] *Ibid.*, March 7, 1912.

new arrivals from acting as replacements. Before long over 200 were in jail. Local business men, envisaging a drain on the taxpayers for the feeding of innumerable prisoners and for individual jury trials which they all demanded, determined to seek a less costly short cut. They organized a *vigilante* committee. An effort was made to keep the police out of it, although collusion was beyond doubt. The procedure was to release a batch of free speech prisoners in the evening only to seize them as they left the jail. They were then loaded into cars, driven twenty or thirty miles out of town, beaten and clubbed, and warned against returning to San Diego.[45] On March 24, 25 men were thus treated.[46] The editor of the *San Diego Herald* opposed the suppression of free speech, and denounced the *vigilantes* and the police. He was kidnaped, taken outside the city and assaulted.[47] One of the prisoners died in prison from a beating and another member of the I. W. W. was fatally shot in a raid on the headquarters.[48]

The rising tide of public protest finally induced Governor Hiram Johnson to send Colonel Harris Weinstock to investigate. The appointment was coolly received by the *vigilantes* and newspapers of San Diego. The legal officers refused to render any assistance to the commissioner. Nevertheless, Weinstock made a thorough investigation. He found that many members of the I. W. W. and their sympathizers "had been arrested by the police . . . and without being charged with a violation of law and many of them without being guilty of a violation of law, had been taken out of the city either by auto, trucks or railroad trains, for a distance of twenty-two miles and there subjected to an inhuman beating by a body of men part of whom were police officers, part constables and part private citizens." [49] The commissioner called attention to the fact that there was no violence or drunkenness, and that the resistance was purely passive, which, while perhaps burdensome and annoying, was not "inimical to life and property." An outcry against Colonel Weinstock led Governor Johnson to issue a statement defending the report as substantially correct.[50]

[45] Shippey, Hartwel, "Shame of San Diego," *International Socialist Review*, May 1912, pp. 720–721.
[46] *Industrial Worker*, March 28, 1912.
[47] *Los Angeles Citizen*, March 22, 1912.
[48] *Industrial Worker*, April 4, 1912; *Los Angeles Citizen*, May 10, 1912.
[49] "Report of Commissioner Harris Weinstock" in the *Los Angeles Citizen*, May 24, 1912.
[50] *Los Angeles Evening Herald*, May 21, 1912.

The adverse report of the Governor's representative did not end the reign of terror. Deportations and beatings continued. On May 7, 1912, nearly a hundred free speech fighters were met by the police and turned over to the *vigilantes* for the usual treatment.[51] The attorneys of the Free Speech League were threatened with violence.[52]

The trade unions affiliated with the American Federation of Labor were likewise made to feel the weight of the authorities and the *vigilantes*. The local labor movement had condemned the *vigilantes* with the result that several of their leaders were arrested and assaulted by the police.[53] Emma Goldman, the well-known anarchist, and Ben Reitman, her manager, happened upon the scene in the course of a lecture tour. They were met by a mob of many thousands, which after separating them, subjected Reitman to inhuman indignities and expelled them both.[54]

Governor Johnson sent the Attorney General to San Diego to initiate action against the *vigilantes*.[55] No prosecutions followed.[56] The violence in San Diego aroused many who were not even in sympathy with the I. W. W. On June 30 a mass meeting was held and addressed by Charles Edward Russell, a well-known publicist and socialist, Mrs. Fremont Older, the wife of the editor of the *San Francisco Bulletin*, a member of the General Executive Board of the I. W. W., and the secretary of the Los Angeles Building Trades Council.[57]

The Free Speech League held a mass meeting on July 14. The *vigilantes* were present, but refrained from violence.[58] The pressure of public opinion produced moderation also in the police. However, no agreement with the I. W. W. was attempted. The men arrested for violating the conspiracy laws were brought to trial and under a compromise verdict, six were found guilty and eight acquitted.[59] In another trial five were convicted of the same offense. On September 12, 1912, the I. W. W. held its first undisturbed meeting since the launching of the free speech fight. It

[51] *Industrial Worker*, May 16, 1912.
[52] *Los Angeles Evening Herald*, May 8, 1912.
[53] *Industrial Worker*, May 23, 1912.
[54] Goldman, Emma, "The Outrage in San Diego," *Mother Earth*, June 1912, pp. 116–118; Reitman, Ben, "The Respectable Mob," *ibid.*, pp. 119–123.
[55] *Los Angeles Evening Herald*, May 22, 1912.
[56] *Ibid.*, May 25, 1912.
[57] *Industrial Worker*, July 11, 1912.
[58] *Ibid.*, July 25, 1912.
[59] *Ibid.*, August 8, 1912.

was a protest on behalf of Ettor and Giovanitti,[60] the leaders of the uprising of the Eastern textile workers.[61]

In the Wheatland hop field strike in 1913 the Industrial Workers of the World came to the aid of a submerged migratory labor group, radically different from the spirited metal miners and the lumber workers of the Northwest.

To reduce wages the owners of the Durst ranch of Wheatland, California, had drawn labor from other localities in the State and from Nevada and Southern Oregon through alluring advertisements.[62] When the 2800 men, women, and children, one-half foreigners, arrived at their advertised Eldorado they found unbearable housing and sanitary conditions and even a lack of drinking water.[63]

Wages were paid on a piece rate and bonus basis and ranged from 90 cents to $1.90 a day. The management reduced earnings by insisting on extremely clean picking. Professor Carleton H. Parker, who investigated the conditions leading up to the strike, was convinced that the management had deliberately brought on a surplus of pickers and forced them to live under intolerable conditions so that they might leave before the season was over and forfeit the bonus. He estimated that bonus forfeits averaged between $100 and $150 daily.[64]

Three days after the beginning of the season a committee chosen in a mass meeting demanded of the manager, Durst, a correction of the conditions. Durst asked to have the demands put in writing for a meeting on August 4, 1913. The demands were for drinking water to be furnished in the field twice a day, for improved sanitary conditions in the camps, especially separate toilets for men and women, and for $1.25 a hundred.

At the meeting, Durst, after a heated argument, slapped the face of "Blackie" Ford, the committee's spokesman and a former member of the Industrial Workers of the World.[65]

Soon after a constable tried to put Ford under arrest. When he

[60] *Ibid.*, September 19, 1912.

[61] See Chapter XXIII.

[62] Bell, George L., "The Wheatland Hop Field Riots," *Outlook*, May 16, 1914, pp. 119–120.

[63] Parker, Carleton H., *Report to the United States Commission on Industrial Relations* in Wisconsin Historical Library, pp. 14–16, 23–31.

[64] *Ibid.*, "The Wheatland Riot and What Lay Back of It," *Survey*, March 21, 1914, p. 768.

[65] *Los Angeles Citizen*, November 7, 1913.

failed to produce a warrant, the pickers refused to allow him to remove his prisoner. The constable brought the sheriff, deputies, and the district attorney of the county to the Durst ranch. At their arrival a meeting was in progress. The meeting was ordered to disperse, and without further warning, a deputy sheriff fired and wounded a picker. General firing broke out resulting in the death of the district attorney, a deputy, and two hop pickers. A posse of several hundred armed citizens came speedily on the scene and Governor Johnson dispatched five companies of militia.[66]

A partial exodus from the Durst ranch began. Suspects were arrested all over California and many were deprived of their legal rights.[67] In Contra Costa county a private detective was convicted by a jury of assault on a Wheatland riot suspect and given one year in jail and a fine of $1000.[68]

The prosecution selected four men to be held for trial. The International Workers' Defense League was founded to provide for a proper defense of the prisoners. Resolutions of protest were adopted by the San Francisco Labor Council, the San Francisco Building Trades Council, the Oakland Labor Council, the Oakland Building Trades Council, and many labor organizations in Los Angeles and in other cities in California.[69]

The trial was held in Marysville in January 1914. Two of the defendants were acquitted and two, Richard Ford and Herman Suhr, were convicted of second degree murder on flimsy evidence and sentenced to life imprisonment.[70]

Following the conviction of Ford and Suhr an agitation began for a general strike in the hop fields for their release. Stickers and circulars, with a picture of a hunched black cat showing its claws, the emblem of sabotage, were spread through the state.[71]

The general strike failed to materialize and the strike on the Durst ranch was also only partially successful. However, the agitation by the Industrial Workers of the World, taken up by the general labor movement, social workers, and public spirited citizens, led to the appointment of Professor Carleton H. Parker to investigate abuses in labor camps [72] and eventually to remedial

[66] *Los Angeles Herald*, August 4, 1913.
[67] *United States Commission on Industrial Relations*, Vol. 5, pp. 4999–5002.
[68] *Ibid.*, pp. 4994–4997.
[69] *Los Angeles Citizen*, November 14, 1913.
[70] *Ibid.*, February 6, 1914.
[71] *Solidarity*, June 27, 1914.
[72] *United States Commission on Industrial Relations*, Vol. 5, pp. 4933–4934.

legislation. The Supreme Court of California upheld the conviction of Ford and Suhr.[73]

During 1910 an attempt was made to organize the timber workers in Louisiana, Arkansas, and Texas into the Brotherhood of Timber Workers, an independent organization inspired by followers of the I. W. W. In 1912 the Brotherhood was formally affiliated with the I. W. W.[74] Its headquarters were in Alexandria, Louisiana.

In July 1911, a convention of the compactly organized Saw Mill Operators' Association ordered the shutdown of mills with 3000 employees, and gave its executive committee power over the closing of the 300 mills in Texas, Louisiana, and Arkansas. A war on the Brotherhood of Timber Workers and the I. W. W. was on.[75] Nevertheless the organizing campaign made considerable headway. The chief obstacle was friction between whites and blacks encouraged by the employers. But the astute native Southern leadership of the Brotherhood knew how to navigate the dangerous waters of race conflict. For instance on May 6, 1912, at Alexandria, Louisiana, the authorities tried to prevent a convention of white and black timber workers. The union leaders took the position that as the employers obviously had not objected to the mixing of races on the job, the union had excellent precedent for inviting whites and blacks to a joint consideration of their common job interests.[76] The Brotherhood mapped out a series of demands to be gradually presented to the lumber companies: A minimum wage of two dollars for a ten-hour day; bimonthly payment in lawful United States currency; freedom to trade in independent stores; reasonable rents; a revision of insurance, hospital, and doctor fees; improvement in the sanitary conditions of the lumber camps and towns; disarming and discharge of gunmen; and the right of free speech and free assemblage.[77]

The demand chosen to be pressed immediately was for a semimonthly pay day. This was no trivial demand, as under the once a month pay day the employees were forced to apply for advances

[73] *Voice of the People*, November 19, 1914.

[74] Hall, Covington, "I Am Here for Labor," *International Socialist Review*, September 1912, p. 223.

[75] Reprint from New Orleans *Times-Democrat* in the *Industrial Worker*, August 10, 1911.

[76] Haywood, William D., "Timber Wolves and Timber Workers," *International Socialist Review*, August 1912, pp. 106–107.

[77] *Industrial Worker*, December 26, 1912.

in company scrip, good at face value only at company stores where prices were from 15 to 40 per cent above the outside prices. Nominally the employees had the option of taking their scrip to the independent stores, but at a discount ranging from 25 to 40 per cent. The companies refused the demand and a strike followed.[78]

The strike was uneventful at first. On July 7, 1912, A. L. Emerson, the president of the union, took a number of pickets to Grabow, Louisiana, to induce the non-union employees of the Galloway Lumber Company to join the strike. A shot was fired from the direction of the Company office. Immediately shooting became general and after ten minutes three union men and one Company man had been killed and more than fifteen wounded.[79] The Governor dispatched militia to Grabow. The coroner's jury charged officers of the Company with murder.[80] The grand jury, however, returned indictments for first degree murder against 58 union members, but did not indict the officers of the Company.[81] Nine defendants were brought to trial early in October.[82] Congressman Pujo, of the Pujo money trust investigation fame, but also a well-known lumber company attorney, aided the prosecution.[83] The witnesses for the State testified that there were incendiary speeches before proceeding to Grabow and that the first shot came from the wagon from which Emerson was addressing the audience. But one of the State witnesses also testified to the thorough preparations by the Company officers for the reception of the pickets, including a generous allowance of liquor to the guards and a distribution of weapons. He also swore that the Company officers fired at fleeing union men.[84] An hour after the case had been given to the jury, a verdict of not guilty was returned. The charges against the other defendants, except six for robbery, were dismissed.[85]

Ten days after the verdict a strike involving 1300 workers began at Merryville, Louisiana, for the reinstatement of the employees of the American Lumber Company who had testified for

[78] Haywood, *op. cit.*, p. 107.
[79] New Orleans *Times-Democrat*, July 8, 1912.
[80] *Ibid.*, July 10, 1912.
[81] *Ibid.*, July 24, 1912; November 3, 1912.
[82] *Ibid.*, October 15, 1912.
[83] *Ibid.*, October 17, 1912.
[84] *Ibid.*, October 20, 1912.
[85] *Ibid.*, November 3, 1912.

the defense.[86] State troops were sent but immediately withdrawn.[87]

The lumber companies had encouraged a Good Citizens' League, made up of non-union workers and business men. The strike, as well as the union, was suppressed by a reign of terrorism by this Southern counterpart of the *vigilante* committees in the West.[88] The strike lasted seven months.

The defeat was entirely due to the superior economic power of the employers. The I. W. W. leadership was acutely aware of the danger of raising or even appearing to raise the issue of race equality in a Southern community, where even the workers for whom it was leading this fight might have been completely alienated by that issue. This skillful conduct, seemingly opportunistic, was in reality a short cut to a solidarity of white and black workers—a solidarity of common wage and job interests.

[86] *Ibid.*, November 16, 1912.
[87] *Ibid.*, November 17, 1912.
[88] *Industrial Worker*, February 27, 1913; letter of Jay Smith, secretary of Brotherhood of Timber Workers to Vincent St. John, Industrial Workers of the World, *Report of the Eighth Convention*, 1913, p. 15.

CHAPTER XXII

FROM CLASS WAR TO CONFORMITY

The fight involving the largest number in the history of the Western Federation of Miners was the Michigan copper strike of 1913. It involved about 15,000 and lasted eight months. It reproduced in a more Eastern setting several of the typical features of Western strikes—a *vigilante* mob and deportations of leaders.

The three copper mining counties, Houghton, Keweenaw, and Ontonagaon, comprising the copper district, cover the most northern tip of the upper peninsula of Michigan. In 1912 the 42 mines produced an output of about 220,000,000 pounds of copper valued at more than $33,000,000. The leading company was the Calumet and Hecla Mining Company with an annual production of one-third of the total owning or controlling 12 other mining companies in the district.[1]

Labor organization began in 1897 but was shortlived. In 1904 the Western Federation of Miners put in its appearance. Locals were attempted, but by 1907 they had all become extinct. After 1908, locals were organized on a permanent basis in Hancock, South Range, Mass City, and Keweenaw.[2]

In 1913 a Michigan copper miner worked underground an average of ten to eleven hours a shift, while in Montana the shift was only eight and a half hours. Earnings were lower in Michigan than in Butte. But the chief issue between the Michigan miners and their employers in 1913 was the one-man drill.

The "water-Leyner," as it was called, was introduced in 1907, and by 1912 its use was widespread. The older drill was a two-man machine. In addition to cutting down jobs, the new drill exacted back breaking toil and greatly increased hazard to life. The miners called it a "widow maker." [3] It received its required water from the surface or from a tank in the mine. By 1913 the

[1] Taylor, Graham, "The Clash in the Copper Country," *Survey*, November 1, 1913, pp. 127–128.

[2] *Michigan Copper District Strike*, Bulletin No. 139, United States Bureau of Labor Statistics, 1914, p. 38.

[3] *Ibid.*, pp. 10, 27–29.

Western Federation of Miners had succeeded in building up a considerable organization. Holding the different nationalities together was not an easy task. The first arrivals, the Cornishmen, were followed by the Irish, Swedes, and Finns and the latest arrivals were the Croatians, Italians, Hungarians, and other Southeast European nationalities.[4]

In June 1913 unrest among the Michigan miners was assuming such proportions that the leaders of the Western Federation of Miners who were eager to avoid a strike until the spring of 1914 were no longer able to resist the pressure.[5]

The members of the five locals were given an opportunity to vote on the matter of immediately presenting demands to the companies. A majority of 98 per cent voted in favor of making demands and of striking for those demands if necessary. Demands were presented by registered mail but ignored by the companies.[6]

On July 22 a strike was called by the district organization and picketing began. Clashes occurred at once and although they were of a minor nature the sheriff of Houghton county asked the Governor for troops. Governor Ferris ordered the entire National Guard of the State to the strike area to the number of 2400, cavalry, infantry, and artillery.[7]

In anticipation of the strike the county board of supervisors, controlled by the copper companies, had made a contract with the Waddell-Mahon Detective Agency for a supply from out-of-the-state of armed guards who were to be deputized in disregard of the State law which prohibited the deputizing of out-of-state residents. The union asked for a court injunction but the court ruled that outsiders could be used as aids, though not as regular deputies. Hundreds of other deputies, many of them company employees, were appointed. By November 1 there were 1700 special deputy sheriffs, local and imported, in Houghton county.[8]

The strikers' demands were for an eight-hour day and a three-dollar wage for underground workers; a thirty-five cent per day increase for surface workers; the abolition of the one-man machine and the recognition of the union. C. E. Mahoney, Vice-President

[4] Taylor, *op. cit.*, pp. 128–129.
[5] *Michigan Copper District Strike*, pp. 38–39.
[6] *Ibid.*, pp. 40–41.
[7] *Chicago Tribune*, July 24 and 25, 1913.
[8] *Michigan Copper District Strike*, p. 52.

of the Western Federation of Miners, asked the Governor to be the mediator. The employers rejected mediation.[9]

When the strike was a week old the non-union employees of the Calumet and Hecla Company drew up their own demands. The manager, James McNaughton, met with their chosen committee but refused their demands. The non-union employees continued their separate meetings and decided to return to work if granted adequate protection. On August 8 the non-union employees of the Quincy Mining Company, the second largest company, in a meeting denounced the Western Federation of Miners. Soon after, the Calumet and Hecla attempted to resume operations, but with scant success. Most of the returned employees were shift bosses.[10]

At first the completeness of the strike, with 15,000 out, gave no occasion for violence. Violence began, however, in the middle of August, caused by the deputies. Two strikers were killed by deputies. A striker was pursued by deputies to his boarding house where he barred himself in. He and another lodger were killed by the deputies' fire and two were wounded. The murdered strikers were given a solemn burial by the Western Federation of Miners.[11] Three of the guards, charged with murder, were tried and convicted of manslaughter. One was acquitted and another jumped his bond.[12]

On September 4 President Charles H. Moyer submitted, at the request of the Governor, a list of conditions upon which the strike might be ended. These were: reinstatement of strikers without discrimination; freedom to join a union and arbitration of all other issues. The Governor was to be the fifth member of an arbitration board of two from each side. The companies refused.[13]

The Copper County Commercial Club made an investigation which virtually whitewashed the companies. The union did not co-operate in this effort.[14]

Efforts to settle the controversy were continued. A representative of the United States Department of Labor attempted to induce both sides to arbitrate and was refused by the companies.[15]

[9] *Chicago Tribune*, July 26, 1912.
[10] *Michigan Copper District Strike*, pp. 46–47.
[11] *Ibid.*, pp. 69–70.
[12] *Miners' Magazine*, February 19, 1914, p. 4.
[13] *Ibid.*, July 23, 1914, p. 6.
[14] *Michigan Copper District Strike*, pp. 91–96.
[15] *Miners' Magazine*, July 23, 1914, p. 7.

Two days after the rejection of the proposals of the Department of Labor, the Quincy Mining Company brought in strikebreakers and was followed by the other companies. An anti-picketing temporary injunction was granted by Judge O'Brien, a local judge, who later dissolved it, but by appealing to the State Supreme Court, the managers had the injunction reinstated with modifications permitting the holding of parades.[16] The strikers boldly disregarded the injunction and as a result over 200 were arrested. Judge O'Brien let them off with a warning.[17]

At the end of October the copper companies announced the eight-hour day effective January 1, 1914, and promised to reemploy all men except those guilty of violence.[18]

In November an organization with a familiar ring to the Western Federation of Miners made its appearance. A Citizens' Alliance was launched in the strike zone. Rumors of an impending deportation of Moyer and other union leaders caused Moyer to apply for an injunction forbidding the Alliance to deport or molest him.[19]

The day before Christmas President Moyer issued one of his customary conciliatory statements. That evening the Women's Auxiliary gave a Christmas party to the children of the strikers at Calumet. Hundreds of children and their parents attended. When the hall was filled an unknown person shouted, "Fire." Panic broke out causing a stampede towards the exits. In the excitement the doorway became blocked by people who fell to the floor, and, when it was all over, 72 lives, the majority children, had been lost.[20]

Three days later, the Western Federation of Miners solemnly buried its dead. The Citizens' Alliance had come forward with an offer of $25,000 for relief, but the union refused to accept its money. Some eye witnesses claimed to have noticed that the unknown person who had caused the catastrophe wore a Citizens' Alliance button. Relays of four men bore each coffin. On the plot of land, purchased by the Federation, two long trenches had been dug, and all but seven of the coffins were lowered into this common grave.[21]

[16] *New York Call*, October 9, 1913.
[17] *Ibid.*, October 25, 1913.
[18] *Michigan Copper District Strike*, p. 96.
[19] *New York Call*, December 16, 1913.
[20] *Chicago Tribune*, December 25, 29, 30, 1913.
[21] *Ibid.*, December 29, 1913.

The Citizens' Alliance was incensed at the charge that one of its members was responsible for the tragedy. A committee of Alliance men came to Moyer's hotel room in Hancock and demanded that he publicly absolve the Citizens' Alliance from responsibility by accepting the $25,000 offered for the relief of the stricken families. Moyer absolutely refused. A few minutes after the committee's departure armed men burst into his room, beat him into insensibility, and shot him in the back. They then seized him, together with a union organizer, and dragged them both through the streets of Hancock for a mile and a half to the railroad station. At the station, Moyer was dragged before James McNaughton, the president of the Calumet and Hecla Company, who hit him in the face and threatened to have him hanged if he ever returned to the Michigan copper country.[22] Thereupon Moyer and his fellow in misery were placed on a Chicago-bound train. Moyer, however, returned as soon as the bullet was extracted from his back.[23]

The coroner's jury investigating the Christmas tragedy was unable to fix the blame.[24] On the other hand, the grand jury indicted Moyer and 38 other union men on charges of violence and conspiracy.[25] However, the indicted were never brought to trial.

Another mediator of the United States Department of Labor tried his hand January 3, 1914, but was likewise met by the obduracy of the companies.[26] Congressman Keating of Colorado tried to put a resolution through Congress to investigate the Michigan strike.[27]

The strike was clearly drawing to a close. Moyer publicly attacked the Executive Council of the American Federation of Labor for its lukewarm support of the Michigan strike. The Council had made two appeals to the constituent unions for financial aid, but the results were disappointing.[28]

The deplorable state of the strike fund faced the leaders with the alternatives of ending the strike or decreasing the relief payments which ranged from $3.00 weekly for single men to $10.00 for men with families. All in all the union disbursed $271,000 in

[22] *Ibid.*, December 28, 1913.
[23] *New York Call*, January 9, 1914.
[24] *Ibid.*, January 1, 1914.
[25] *Ibid.*, January 16, 1914.
[26] *Ibid.*, January 4, 1914.
[27] *Ibid.*, January 28, 1914.
[28] *Miners' Magazine*, February 12, 1914, p. 5.

relief.[29] Moyer explained the situation in an open letter to the public in the early part of April.[30] The district organization placed the matter before the strikers. As all the important demands had been conceded, except union recognition, the strikers decided to end the strike, which had lasted more than eight months.[31]

The Michigan fight, hard and determined though it was, was the last blazing up of the militant spirit of the Western Federation of Miners. The class war in Colorado in 1903–04 and the Moyer, Pettibone, and Haywood case had placed a heavy burden on the financial resources of the Western Federation of Miners as well as a heavy strain on the morale of its leadership. The relationship between the Western Federation of Miners and the Industrial Workers of the World with the many theoretical as well as practical complications resulting from it, further sapped the vitality of the organization. When the Federation withdrew from the Industrial Workers of the World in order, as its leaders intended, to save it from an entangling alliance, the spiritual wrench involved was more than many of the more radical members could accept without resistance. Furthermore, the leaders had become aware that the whole social topography of the arena of their activity was undergoing a radical transformation. The mountain states were no longer frontier states with the characteristic frontier psychology of the industrial groups arrayed against one another. Into this altered environment, with a "public" of farmers and urban middle classes, Winchester rifles and dynamite no longer fitted. Their own best fighting days over with advancing middle age, the leaders, although still nominally socialists, were moving towards a conception of the rôle of their organization not far apart from that of the American Federation of Labor. Evidently the sympathy shown by the Gompers-led organization for the leaders of the Western miners fighting for their lives had done much to efface the effects of the early indifference to the plight of the Western miners and had also wiped out the antagonism accumulated during the years when the Western Federation of Miners had been the driving force in moves for dualism.

The first steps towards reaffiliation were taken when the convention of 1909 appointed a committee to negotiate with the

[29] *Ibid.*, May 14, 1914, p. 14.
[30] *Ibid.*, July 23, 1914.
[31] *Ibid.*, April 23, 1914, p. 10.

officers of the American Federation of Labor.[32] The United Mine Workers acted as intermediaries. The committee's report was favorable. A referendum vote approved reaffiliation and formal application was made for a charter.[33] On May 9, 1911, the charter was issued and the Western Federation of Miners rejoined the American Federation of Labor after 15 years of separation.[34]

A minority remained opposed to reaffiliation as a symbol of treason to the past, and singled out Moyer as the culprit to be fought to the bitter end and to be removed from leadership. In any struggle for control of the Western Federation of Miners, especially since the weakening of the Colorado locals after the war of 1903–04, the upper hand in Butte Miners' Union No. 1 was half the battle won. In the struggle for the control of Butte that ensued after 1911 general and theoretical issues were scarcely more important than local issues of long standing.

The Butte miners organized on June 13, 1878, to ward off a threat to reduce wages from $3.50 to $3.00. It soon became the largest and most powerful metal miners' group in the West. It never swerved from the determination not to permit wages to go below $3.50 a day for all underground men regardless of occupation. It adopted the name of Butte Miners' Union in 1881, and received the first charter issued by the Western Federation of Miners, on June 16, 1893.[35]

The union was able to erect its wage standard into a "principle," because in the early years it scarcely met with employers' opposition. The bitter rivalry between W. A. Clark and Marcus Daly, the two copper magnates, made open opposition to the union inexpedient for either. These two remained bitter enemies for years, and when Clark was elected to the United States Senate in 1899, Daly financed the contest that led to his unseating.[36] In 1893, F. A. Heinze, who had been sent to Butte by the Boston and Montana Company, entered the arena by organizing the Montana Ore Purchasing Company.[37] In 1899 the Standard Oil Company

[32] Western Federation of Miners, *Proceedings*, 1910, p. 32.
[33] *Ibid.*, p. 221.
[34] *Ibid.*, 1911, p. 37.
[35] Langdon, Emma F., "Butte Miners' Union," *Miners' Magazine*, December 29, 1910, pp. 6–8; *United States Commission on Industrial Relations*, Vol. 4, p. 3695.
[36] *Report of the Committee on Privileges and Elections of the United States Senate Relative to the Right and Title of William A. Clark to a Seat as Senator from the State of Montana*, Senate Report No. 1052, 56th Congress, 1st Session, pp. 2208–2209.
[37] Sanders, Helen Fitzgerald, "Butte—The Heart of the Copper Industry," *Overland Monthly*, November 1906, pp. 367–368.

made its entry by organizing a holding company, the Amalgamated Copper Company. Daly allied himself with the Amalgamated and the Amalgamated-Daly interest became the dominant interest in the State.[38]

At the turn of the century Heinze and the Amalgamated-Daly interest became locked in a dogged struggle for power. Heinze laid claims to ore deposits in Amalgamated properties under the "apex theory" of law. In the protracted and furious legal campaign, control of the courts was important. Here the voting strength and political influence of the miners' union of Butte with its 6000 members, and of the Butte Trades and Labor Assembly with its additional 2500 became a decisive asset to whichever side it lent its support.[39] Under the circumstances the miners' union enjoyed the unusual experience of courtship by powerful rival capitalist interests. Leaders in the union lined up with the one or the other, coming to be known as Heinze men, Clark men, or Daly men—not without injurious effects upon the *morale* of the union. Prior to 1909 the officers of the union were given free leases in one of the Amalgamated mines, and the right to remove what ore they could.[40] But the miners as a whole also benefited. In 1900 the union asked for the eight-hour day with no reduction in wages. Clark and Heinze immediately granted the demands and complimented the union upon its progressive spirit. The Amalgamated-Daly group hung back in this courtship, and further incurred the miners' antipathy by employing non-union clerks at the company-controlled store. Later, however, the Amalgamated fell in line.[41]

In February 1906, Heinze sold out to the Amalgamated, and Butte became a one-man camp, dominated by the manager of the Amalgamated.[42]

Soon after a demand for a wage increase was made. Heretofore there had been no written contracts between the union and the companies. The Western Federation of Miners did not believe in time agreements. Nevertheless in April 1907 Butte Miners' Union

[38] Heinze, F. A., *The Political Situation in Montana, 1900–1902*, pamphlet, Butte, Montana, 1902; Connolly, C. P., "The Fight of the Copper Kings," *McClure's Magazine*, May 1907, pp. 7–9.

[39] Connolly, *op. cit.*, p. 9.

[40] *United States Commission on Industrial Relations*, Vol. 4, p. 3768.

[41] *Miners' Magazine*, July 1900, pp. 46–50; August 1900, pp. 5–8; Connolly, *op. cit.*, pp. 9–15.

[42] Sanders, *op. cit.*, p. 370.

No. 1 entered into a five-year contract with the Amalgamated. The contract continued the eight-hour work day and established a sliding scale of wages—$4.00 a day for all underground men if copper sold above 18 cents a pound for a calendar month, and $3.50 if it sold below.[43] The Western Federation of Miners was greatly displeased by this time agreement, and at its convention in June 1907 declared time agreements, verbal or written, "null and void," by a vote of 325 to 25.[44] However, this did not alter the status of the Butte contract.

It was commonly assumed that the officers of the Butte Miners' Union were company controlled. In 1907 an "anti-company ticket" was in the field in the union election. It was partially successful, but first won complete control in the election of 1909. For three years thereafter the Butte miners' local was controlled by men, who, as the local expression went, did not "wear the copper collar." [45] In 1909 the engineers' local, distinct from Butte Miners' Union No. 1 but affiliated with the Western Federation of Miners and always the center of conservatism, tried to secede from that organization. Immediately Butte Miners' Union No. 1 resolved that after September 23 no engineers without a paid up card in the regular local No. 83 would be permitted to work in the Butte mines. On September 24 a committee to enforce this ruling was on the ground and no miner was allowed to go to work in a mine where the engineers failed to produce the required card. The mines in Butte remained closed for three days, until the manager of the Anaconda mine, the largest of the group of 17 companies in Butte, agreed to enforce the closed shop of the engineers' local.[46]

This trouble, however, was a harbinger of much more serious difficulties to come. A growing minority of the Butte miners was dissatisfied with the management of the local union, as well as with the Moyer national administration. The year 1912 was crucial. The contract signed in 1907 expired. The conservatives were again in control in Butte Miners' No. 1, and a new three-year contract was signed, setting a wage scale from $3.50 a day when the average price of copper for the calendar month was below 15 cents to $4.25 when copper reached 18 cents.[47]

[43] *United States Commission on Industrial Relations*, Vol. 4, pp. 3879–3880.
[44] Western Federation of Miners, *Proceedings*, 1907, pp. 261, 307–352.
[45] *United States Commission on Industrial Relations*, Vol. 4, p. 3726.
[46] Western Federation of Miners, *Proceedings*, 1910, pp. 29–30.
[47] *United States Commission on Industrial Relations*, Vol. 4, p. 3696.

Early in 1912 the opposition to Moyer formally organized in Butte as a Central Committee for Industrial Union Organization. This committee nominated Thomas Campbell for president against Moyer. Campbell was defeated by a vote of 8318 to 3744.[48] Campbell was the leader of the radical group in the Butte Miners' Union. The radicals charged fraud and Company influence, and Campbell appeared before the convention of the Western Federation of Miners of that year, demanding the unseating of the Butte delegation, the revocation of the charter of Butte Miners' Union No. 1, and the appointment of a new set of officers.[49] Instead of sifting the charges brought by Campbell, he himself was placed on trial for "conduct unbecoming a union man," and for "imputing treacherous and disloyal motives to the present officers of our union." President Moyer, against whom the charges were mainly directed by Campbell, made a gesture of sportsmanship, and waiving his rights to a trial by his own local union, placed himself on trial before the convention. After a two-day debate, Campbell was expelled from the Western Federation of Miners by a vote of 198 to 26. Moyer was absolved of all charges by a unanimous vote.[50]

The expulsion of Campbell, who was the spokesman for a large group in Butte, was a needless affront to the opposition. Several events lent countenance to Campbell's charges against the officers of the Butte locals of undue Company influence over the Butte officers, notably in the instance of the "rustling card" and the discharge of the Finnish miners. The "rustling card" compelled an applicant to apply at the Company employment office and to give his personal history, in order to secure a card granting him permission to apply for work or "rustle" at the mine. When he secured a job the card was surrendered and returned to the employment office to which he was obliged to apply for a new card when he needed a new job.[51] When the Anaconda instituted the "rustling card," a union committee was appointed to investigate. The majority recommended no action. However, a minority report condemning the "rustling card" was approved by a referendum vote. Yet the officers remained inactive.[52]

[48] Western Federation of Miners, *Proceedings*, 1912, p. 380.
[49] *Ibid.*, pp. 219–221.
[50] *Ibid.*, pp. 249–362.
[51] *United States Commission on Industrial Relations*, Vol. 4, p. 3797.
[52] *Ibid.*, pp. 3763–3764.

A far more serious challenge by the Company was the discharge of several hundred socialist miners. In 1911 the Socialist Party had elected all of the general city officers and five of the aldermen.[53] It was reported that the socialist administration planned to fix a tonnage tax against the mines within the city limits of Butte.[54] In March 1912, several hundred socialists, the majority of them Finnish workers, were discharged by the Anaconda Company. A committee of 25 was appointed by the miners' union to seek their reinstatement. All but two of the committee were for striking. The matter was put to a referendum vote. A furious campaign exploiting racial dislikes was launched against the "Finns" by the local press, and by the alleged "Company men" in the union. The move to strike was defeated by 4400 to 1126. A part of the discharged men were reinstated, but many were forced to leave town. The blacklisted men appealed to the national officers of the Western Federation of Miners, but the national officers claimed lack of jurisdiction unless the local requested their intervention.[55]

The sequel of events in 1912 rent the Butte organization in two. The conservative leadership of the Butte local was charged with graft and favoritism to the companies, and the manipulation of elections.[56] In 1914 the opposition demanded the use of voting machines in the forthcoming union election on the ground that otherwise no honest election could be had. The president at the meeting refused to allow a standing vote on the matter. Thereupon the opposition refused to participate in the election.[57]

The results of this high handedness were not slow to appear. On June 12, 1914, 1200 miners refused to show their union cards at the entry to the mines, and were not permitted to work without showing their Western Federation of Miners cards.[58] The following day, June 13, was "Miners' Day," in celebration of the founding of the Butte union. The insurgents not only refused to participate in the customary parade, but jeered the marchers and broke up the parade. Next the miners' hall was attacked, thoroughly ran-

[53] *Ibid.*, p. 3725.

[54] Western Federation of Miners, *Proceedings*, 1914, p. 154.

[55] *Ibid.*, 1912, pp. 21–24, 222–229; *United States Commission on Industrial Relations*, Vol. 4, pp. 3729–3730.

[56] *Anaconda Standard*, June 15, 1914.

[57] *Ibid.*, June 15, 1914; *United States Commission on Industrial Relations*, Vol. 4, pp. 3772–3773.

[58] *Anaconda Standard*, June 13, 1914.

sacked, and the union safe seized, carried outside of the city and dynamited.[59]

President Moyer came quickly on the ground. He sought to pour oil on the troubled waters. He would personally assume charge of the affairs of Butte Miners' Union No. 1, declare the June 2 election void, and appoint provisional officers. He also nullified a $2.00 assessment recently levied over a large protest by the local union. Lastly, he would have an impartial audit of the accounts of the local.[60]

The local office holders and officers-elect at Moyer's request eliminated themselves.[61] Nothing, however, would now placate the opposition forces. To them Moyer was two years too late. The opposition arranged for a referendum vote on June 17, on whether the miners around Butte should show their cards, and the Western Federation of Miners was repudiated by a vote of 6348 to 243.[62] This was a knockout blow to Moyer's organization. Four days later more than 4000 miners met and organized the Butte Mine Workers' Union, an independent organization.[63]

On June 23, Butte Miners' Union No. 1 held a meeting to be addressed by President Moyer. A large crowd assembled outside of Miners' Hall and jeered those entering. A shot was fired from the hall, wounding a bystander. Whereupon, amidst general shooting, the hall was invaded and Moyer and those assembled were forced to run for their lives. In the affray one was killed and three wounded. The enraged mob completed the destruction begun on June 13 by dynamiting and completely demolishing the Butte Miners' Hall.[64] The socialist mayor of Butte charged Moyer's followers with responsibility, claiming that the first shot came from the Miners' Union Hall.[65]

Moyer immediately left for Helena, the State capital, to confer with the Governor. He charged that the city and county governments had broken down, and that the State must intervene to protect him from violence. He later denied that he had requested troops, but the aroused miners of Butte failed to notice the dis-

[59] *Ibid.*, June 14, 1914.
[60] *Miners' Magazine*, July 23, 1914, pp. 15–16.
[61] *Anaconda Standard*, June 21, 1914.
[62] *Ibid.*, June 19, 1914.
[63] *Ibid.*, June 22, 1914.
[64] *Ibid.*, June 24, 1914.
[65] *Miners' Magazine*, July 3, 1914, p. 8; July 16, 1914, pp. 5–6.

tinction.[66] Governor Stewart offered to mediate between the two factions, but the president of the insurgent Butte Mine Workers' Union rejected his offer.[67]

The new union, in addition to charging the Butte Miners' Union No. 1 with subservience to the "copper trust," as proved by the meek acceptance of the rustling card and failure to oppose discriminatory discharge of union men, made the bold assertion that packing the halls with "Company men" to the exclusion of independent union miners and the stuffing of ballot boxes in elections had become a standard device for perpetuating Company control of the union. "Company men," they asserted, were permitted by their foremen on union meeting days to quit working ahead of independent union men so as to pack the small meeting hall of the union. Moyer they charged with willful ignoring of the irregularities.[68] In fact, Moyer might have headed off the whole trouble had he addressed himself to the situation in earnest at the convention of the Western Federation of Miners in 1912. Instead he permitted himself to be carried away by his resentment against the charges made against him by Campbell in the excitement of an election campaign.

On August 31, 1914, the new Butte Mine Workers' Union made a bid for job control in the Butte mines by demanding that miners show its button before being allowed to work, that no blasting be done at the dinner hour, and by instructing the miners to report bad working places and overbearing foremen to its officers without delay.[69] Simultaneously several men prominent in the Western Federation of Miners were deported by the insurgents, copying the *vigilante* method. Also the employment office of one of the mines was dynamited by unknown persons. This was used as a basis for a demand for troops.[70] Many mines shut down during the disturbances. On September 1 the militia arrived. Martial law was declared and a military court set up. The copper companies decided to reopen their mines immediately. The socialist Mayor Duncan protested the sending of the troops.[71]

The militia began a round-up of the leaders of the insurgent

[66] *Ibid.*, July 23, 1914, p. 16.
[67] *Anaconda Standard*, June 25, 1914.
[68] *Miners' Magazine*, July 23, 1914, p. 17; "Statement of Executive Committee of Butte Mine Workers' Union," *Voice of the People*, September 3, 1914.
[69] *Anaconda Standard*, September 1, 1914.
[70] *Ibid.*
[71] *Ibid.*, September 2, 1914.

miners' union. Persons allied with the old miners' union preferred charges of failure to perform their duties against the mayor and sheriff and demanded their removal.[72] On September 8 all the operating companies in Butte made a joint declaration that they would refuse to recognize either union. Butte Miners' Union No. 1 of the Western Federation of Miners no longer possessed the confidence of the Butte miners, and the new Butte Mine Workers' Union had shown itself unfit for recognition by its acts of violence and lawlessness.[73] With that ended the union control of the Butte copper industry after an uninterrupted existence for 36 years. The new union could not risk open war with the militia, and the companies were able to establish the open shop with a minimum of resistance.

On October 6 the mayor and sheriff were removed for failure to perform their duties.[74] An attempt to amalgamate the two Butte unions came to nought, and on November 21 the president and vice-president of the new union were convicted of forcibly deporting three Western Federation of Miners men from Butte, and were sentenced to prison terms of 3 to 5 years.[75] The militia left Butte on November 13, 1914.[76] For 20 years thereafter Butte remained open shop.

The Butte affair and the rôle played in it by the national leadership of the Western Federation of Miners made it clear that the frontier activism of that organization, often mistaken for a basic ideological divergence from the general American union type, had been replaced by a conformity, both in thought and action, to the type of unionism of the American Federation of Labor. And as if to symbolize the total break with the past and the new conformity, the name was changed at the convention of 1916 to International Union of Mine, Mill, and Smelter Workers.

[72] *Ibid.*, September 4, 6, 1914.
[73] *Ibid.*, September 9, 1914.
[74] *Ibid.*, October 7, 1914.
[75] *Solidarity*, November 28, 1914.
[76] *Ibid.*, November 21, 1914.

CHAPTER XXIII

THE I. W. W. IN THE EAST

Since the repulse of the American Federation of Labor by trustified industry and by the mass attack of the non-trustified employers, the efforts to organize the unorganized, especially the unskilled, became sporadic and infrequent. The leadership of the Federation, thrown on the defensive, was compelled to center all efforts and all available finances to ward off legal attacks, to defeat political enemies, and to assist the organized skilled trades to hold their own. So engrossed did the Federation become in what appeared to be under the circumstances the paramount task, that spontaneous movements by the unorganized, instead of being acclaimed as opportunities for unionism to extend its sphere, were actually viewed with alarm. To take these movements to its own bosom spelled dangerous experimentation with the established organizations; to refuse to lend a helping hand laid the Federation open to the charge of callous neglect of those very strata of the wage-earning group that were most in need of aid. Experience had taught that stable unionism rarely begins with an unorganized walkout, but that some sort of organization, however small its membership as compared with the numbers to be organized, and some preliminary planning are indispensable for any chance of success. Moreover, the Federation was after all a federation of the unions of the skilled and of American or Americanized wage earners. These lacked any spontaneous fellow feeling for the low paid immigrants with their un-American standard of living. Rather they viewed them as a competitive menace imported by the employers to reduce American wages. On top of these causes of antagonism there was the contemptuous feeling of the organized American worker, whose union had risen by the efforts of his own craft group unaided by others, towards a labor group that needed outside aid to give it the original impulse to assert its independence.

In 1909 these neglected and despised workers found a champion which saw in their very degradation and weakness a justification for its intervention. This champion came from the West. It was the Industrial Workers of the World.

The organization which invaded the East to act as the champion of the unskilled was made up of industrial departments, national industrial unions, local industrial unions, local recruiting unions, and industrial councils. Local industrial unions, whenever advisable, were allowed subordinate shop or craft branches. National industrial unions were composed of a minimum of five local industrial unions with a combined membership of at least 3000. Two or more closely related national industrial unions with a combined membership of at least 10,000 were grouped into departments.[1] Actually the I. W. W. established few industrial unions, its locals being directly affiliated with the General Office.

Early in 1909 the Pressed Steel Car Company of McKee's Rock, Pennsylvania, introduced a new system of wage payment. Men with specific ratings, such as riveters, heaters, or helpers, were lumped into gangs and their earnings made dependent upon the gross output of the gang. If due to the foreman's error or to a mistake of a gang mate, the car was not completed, the whole gang went unpaid. To aggravate the situation the Company refused to post the rates, so that the men had no check on the amount due them.[2] The Company employed a form of the conveyor system, absolutely controlling the workers' speed.

Another grievance was the extortion by foremen of large payments for jobs, an extortion frequently repeated by the subterfuge of discharge and rehiring. The men also complained of compulsion to trade at Company stores indirectly owned by the Company to get around the state law.[3]

The walkout began on July 14, 1909, when a group of 40 refused to work unless they were told their rate of pay. They were discharged. Next another 600 laid down their tools, following a refusal of a conference. The following day all of the employees, except 500, joined the strike. The Company closed down its plant. The local chief of police while attempting to arrest a striker was given a severe beating.[4] As soon as the strike began, 100 deputy sheriffs, armed with rifles and aided by 200 State constables, surrounded the plant. Immediately rioting and bloodshed fol-

[1] Industrial Workers of the World, *Constitution and By-laws*, 1905, p. 5; 1912, pp. 6–8.

[2] Kellogg, Paul U., "The McKee's Rock Strike," *Survey*, August 7, 1909, pp. 656–657, 659.

[3] *New York Tribune*, July 16, 1909.

[4] *New York Call*, July 16, 1909.

lowed. Nearly 100 strikers and sympathizers were injured in repeated charges by the mounted constabulary. The strikers replied with rocks and missiles. On July 15 an hour's battle between 4000 strikers and the constabulary was fought.[5]

A committee ran the commissary, arranged the meetings, and tried to preserve order, but the real strategy of the strike was in the hands of the Unknown Committee.[6]

The leaders tried to keep down violence and appointed committees to meet with the management. Violence continued with many arrests and an order to the constabulary to "shoot to kill."[7] The strikers offered armed resistance to the landing of a steamer with strikebreakers.[8]

The management remained confident of victory, certain that the authorities would not fail to use a strong hand if necessary. Fifty union electricians of the Westinghouse Electric Company doing erecting work at the Pressed Steel Car Company plant, left their jobs in sympathy with the strike.[9] The Company tried evictions but was forced to desist by mobs of strikers who threatened to burn the Company houses.[10]

To allay violence, the sheriff prohibited bringing in strikebreakers.[11] But the strikers remained ever watchful and by mass picketing prevented resumption of operations.[12]

At the end of July a striker was killed by the constabulary. The Unknown Committee let it be known that for every striker killed or maimed a trooper would pay with his life. Five thousand were in the funeral procession and representatives from more than 15 nationalities paid their respects to the victim.[13]

On August 15 the Industrial Workers of the World entered the strike. A meeting was addressed by Troutman, and a local was formed.[14]

Matters were not going well with the Company. Strikebreakers kept deserting. Transportation workers refused to haul strike-

[5] *New York Tribune*, July 16, 1909.
[6] Duchez, Louis, "Victory at McKee's Rock," *International Socialist Review*, October 1909, pp. 290–292.
[7] *New York Call*, July 16, 1909; *New York Tribune*, July 17, 1909.
[8] *New York Call*, July 16, 1909.
[9] *New York Tribune*, July 17, 1909.
[10] *New York Call*, July 16, 1909.
[11] *Ibid.*, July 21, 1909.
[12] *Ibid.*, July 27, 1909.
[13] Duchez, Louis, *op. cit.*, p. 292.
[14] *New York Call*, August 18, 1909.

breakers either because of sympathy for the strikers or of fear for their own safety.[15]

On August 23 a squad of strikers boarded a street car entering the strike zone in search of non-union men. A deputy sheriff refused to obey the order to alight and fired his gun. In the *mêlée* he was killed. A company of troops was rushed in to disperse the mob. A pitched battle followed, costing 11 lives.[16] The usual searches and arrests were made. The troopers avenged themselves on the strikers for the death of their comrades by tying some of the arrested men to their horses and dragging them through the streets.[17]

So serious was the situation that the Pittsburgh Railway Company ordered the suspension of street railway service through the strike area.[18]

The exposure of the condition in the Pressed Steel Car Company plant aroused strong public sympathy for the strikers. The *Pittsburgh Leader* collected $9000 for the strikers' bread fund.[19] The United States government was compelled to send an investigator upon the complaint of the Austrian vice-consul that some of his countrymen had been brought to McKee's Rock under misrepresentation and forcibly detained in the plant.[20]

At last the management yielded all along the line. The men joyously returned to work.[21]

The McKee's Rock strike was the harbinger of a new spirit among the unorganized workers in the Eastern manufacturing districts. In this struggle the rôle of the leaders of the Industrial Workers of the World was as yet a subordinate one. They offered advice and direction where no other established labor organization cared to step in. For the next three years, as we have seen, the "free speech" fights in the West engrossed the Industrial Workers of the World. In 1912 its attention definitely turned to the East—to the unorganized and grievously treated workers in the textile industries.

In no other American industry has unionism had so checkered

[15] *Ibid.*, August 18, 19, 1909.
[16] *Ibid.*, August 24, 1909; *New York Tribune*, August 25, 1909.
[17] *New York Tribune*, August 24, 1909.
[18] *Ibid.*
[19] Smith, Rufus, "Some Phases of the McKee's Rock," *Survey*, October 2, 1909, p. 41.
[20] *New York Tribune*, August 25, 1909.
[21] *New York Call*, September 8, 1909.

and uncertain a career as in textiles. In England, textile unionism by the end of the third quarter of the last century had not only developed a most stable form of organization and achieved the fullest recognition by the employers, but had also given the industry a "scientific" method of wage remuneration.[22] In the United States textile unionism was hampered, first of all, by the lack of a class of skilled operatives antedating machine production, with the traditions and habits of concerted action for job control. The American textile industry had been obliged to start *de novo* so far as labor personnel was concerned, with farmers' daughters, and to continue with immigrants. The first immigrants, coming from the English textile districts, brought unionism with them. But they were quickly swamped by the Irish, the French Canadians, and still later by arrivals from Eastern Europe. By the end of the century, the labor force in the textile industry had become sharply divided between a small minority of skilled and organized English and Americans, and the overwhelming majority of the unorganized non-English-speaking workers. On a few occasions the United Textile Workers, affiliated with the American Federation of Labor since 1901, and a descendant of a long line of textile unions, has managed to bridge that gulf, but only temporarily. Finally, absorption in the affairs of its small skilled membership and a conviction, doubtless assisted by the feeling of disdain towards the socially inferior and culturally different masses of the unorganized, that the task of unionizing them was a hopeless one, led even to a discontinuance of such efforts.

Additional obstacles to textile unionism was the rise, about the beginning of the present century, of the South with its untouched cheap labor reservoir as a competitive menace both to employer and employee; also the much more intensive mechanization of the American textile industry compared with the British; and finally, in the woolen branch, the factor of trustification.

In 1912 came an uprising of the unorganized in the citadel of the American Woolen Company, Lawrence, Massachusetts. It was precipitated by a *pro rata* reduction in wages following the reduction by law of the prevailing 56 hours per week to 54 for women and minors under 18.[23] Wages were low and bonus and

[22] Webb, S. and B., *History of Trade Unionism*, Longman's, Green and Company, London, 1920, p. 308.

[23] *Report on Textile Strike in Lawrence, Massachusetts*, Senate Document 870, 62d Congress, 2d Session, p. 9.

premium systems had been introduced as a speeding-up device. The United States Commissioner of Labor reported "that the average amount actually received by the 21,922 employees, during a week late in 1911, in which the mills were running full time, was $8.76. Almost one-third (33.2 per cent) received less than seven dollars during the week and approximately one-half as many (17.5 per cent) received $12.00 or over during the week." [24]

When the notices of the changed time schedule were posted no mention was made of wages. The law was to become effective on January 1, 1912. The small English-speaking branch of the I. W. W., observing this omission, appointed a committee to demand from the mill officials a statement of how wages were to be affected under the new law. Most of the mill agents refused to see the committee, and the others denied their authority to deal with the wage question. At this time, about 2500 skilled operatives belonged to the United Textile Workers and, at the most, a few hundred of the unskilled to the I. W. W.[25]

Strike sentiment was in the air. The Italians, Poles, and Lithuanians were ready to act if their pay envelopes showed a decrease in wages. When their worst expectations came true, a strike broke out. It began in the weaving department of the Everett cotton mill and in the spinning department of the Arlington mill on January 11 and speedily developed in the direction of a general strike.[26]

The impetuosity of the strikers was revealed in one of the mills, where the mass of pickets forced their way through the gates, swept through the work rooms, shut off the power, and compelled the hesitant ones to join the strike.[27] Three days after the first walkout more than 25,000 were on strike.[28]

A meeting was called at the Franco-Belgian hall, which became the strike headquarters. Delegates came from English, French, Italian, Belgian, and Polish groups. A telegram was sent to Joseph Ettor, a member of the General Executive Board of the I. W. W., to come to Lawrence and take command. Violence was to be avoided at any cost. On January 13, Ettor arrived and became chairman of the strike committee consisting of three from

[24] *Ibid.*, pp. 19–20.
[25] *Ibid.*, pp. 10–11.
[26] *Ibid.*, pp. 31–34.
[27] *Boston Evening Transcript*, January 12, 1912.
[28] *Ibid.*, January 15, 1912.

each nationality. An alternate for each committee member was appointed. The strike committee was nominally in charge, but the strike was really directed by the I. W. W.[29] The demands were a 15 per cent increase in wages and double pay for overtime work; the abolition of all bonus or premium systems; and no discrimination against the strikers.

On Monday, January 15, the strikers carried out picketing demonstrations before two large groups of mills still operating, the Pacific and Atlantic, and engaged in the first clash with the police and the militia. The commissioner of public safety announced that "there will be no more toying with these lawless strikers. . . . The soldiers . . . will shoot to kill." The mayor requested additional troops and four out-of-town companies of militia were added to the four local companies. The mill district was patrolled by soldiers, but peaceful picketing was permitted.[30]

The strike committee showed great ingenuity in handling the pressing problem of relief. The mill operatives had practically no resources. The committee issued an appeal for funds to labor unions, socialist groups, and sympathizers, and installed a relief committee from 11 different nationalities.[31]

On January 16, the mills were reopened under the protection of the police and militia. The strikers were out in full force, but were driven back by bayonets from the gates of the Pacific mills.

Governor Foss ordered the State Board of Arbitration to intervene. Ettor was willing to meet with the employers, but would not accept arbitration. William M. Wood, president of the American Woolen Company, categorically refused to meet any strike committee, placing the blame upon agitators and mistaken legislators.[32]

On January 19 the strikers were joined by about 1000 skilled and better paid operatives, mainly Americans.[33] The strike committee countered President Wood's exhortation to his employees to shun the leadership of professional agitators, to return to work and counsel with him afterwards, by calling attention to their fruitless efforts to get redress from the mill agents which had preceded the strike, and further contradicted his assertion that the

[29] *Report on Textile Strike in Lawrence, Massachusetts*, p. 36.
[30] *Boston Evening Transcript*, January 15, 1912.
[31] *Report on Textile Strike in Lawrence, Massachusetts*, p. 66.
[32] *Boston Evening Transcript*, January 16, 1912.
[33] *Ibid.*, January 19, 1912.

Company was unable to raise wages by referring to the recently constructed new mills and to the generous dividends to the stockholders.[34]

On January 20, several sticks of dynamite were discovered in the strike district and seven strikers were arrested. On the strength of this discovery four additional companies of militia were brought in. The strikers were released for lack of evidence and subsequently a member of the school board, a leading business man, was tried, convicted, and fined $500 for this offense. President Wood, who was also implicated, was exonerated in court but was unable to explain a payment to the proved purchaser of the dynamite.[35]

However, the disposal by the court of the dynamite incident did not come until later. In the meantime the strike continued. Management was now willing to talk it over with strikers but insisted upon separate meetings for each mill, thus eliminating the general strike committee. The proposal fell through.[36]

The successful leadership by the I. W. W. provoked John Golden, President of the United Textile Workers, to denounce this strike against starvation wages "as a revolution." [37] The Central Labor Union, affiliated with the American Federation of Labor, seconded Golden in an attempt to supersede the I. W. W. in the leadership of the strike.[38]

Demands were formulated ready to be presented to the managers. Unfortunately, the latter were not impressed and refused to seize the proffered hand. This intrusion by Golden was more than some unions affiliated with the American Federation of Labor could bear. Protests arose and the Lawrence molders' local withdrew its delegate from the Central Labor Union.[39] Golden persisted in his work, and at the hearing on the resolutions of Congressmen Victor L. Berger and William B. Wilson to investigate the Lawrence situation, defended the clubbing and bayoneting of women and children at Lawrence, causing Berger to denounce his conduct as "contemptible." [40]

[34] *Report on Textile Strike in Lawrence, Massachusetts*, pp. 39–42.
[35] *The Outlook*, June 21, 1913, pp. 351–352.
[36] *Boston Evening Transcript*, January 27, 1912.
[37] *Solidarity*, March 2, 1912.
[38] *Boston Evening Transcript*, February 5, 1912.
[39] *Solidarity*, March 2, 1912.
[40] *Hearings on Strike at Lawrence, Massachusetts*, House Document 671, 62d Congress, 2d Session, pp. 136–138.

On January 29, one of the largest demonstrations of the strike took place. After an address by Ettor on the public commons exhorting them to be peaceful and orderly, a great throng formed itself into a procession and paraded through the business district. A company of militia refused to allow the strikers to pass by one of the mills. Ettor averted a clash by waving the marchers up a side street. The strikers obeyed and cheered him. Ettor's good work for law and order was rewarded later in the day. In a clash, independent of the demonstration, firing broke out and a woman striker was killed. The city council immediately voted to turn control over to the commander of the militia. Upon the Mayor's request, 10 additional companies of infantry and two of cavalry were ordered to Lawrence. Two days after the demonstration, with 1400 soldiers patrolling the city, Ettor and Arturo Giovanitti, a revolutionary poet and editor of *Il Proletario*, were arrested as accessories to the murder of the killed woman striker.[41]

The arrest of Ettor failed to disrupt the strike. He had anticipated his arrest and had kept William D. Haywood of Haywood, Moyer, and Pettibone fame, conversant with the strike situation. Haywood arrived on January 24 and was greeted by more than 10,000 at the station.[42] Haywood took command of the strike.

William Dudley Haywood was born in Salt Lake City in 1869. His father having died during his childhood, his mother remarried and moved to one of the nearby mining camps. Haywood went to work in a mine at the age of nine.[43] In 1896, he joined the Western Federation of Miners. His work in the union attracted the attention of Ed Boyce, and in 1900 he was chosen Secretary-Treasurer of the organization.[44] After acquittal of the charge of murdering Governor Steunenberg, he became a national figure in radical circles and was eventually elected to the National Executive Committee of the Socialist party. In 1915 he was elected Secretary-Treasurer of the I. W. W., and was sentenced to 20 years in prison in 1918 for obstructing the war. Two years later, when his conviction was upheld, he fled to Russia, where he died in 1928.

Converted to socialism in 1901, he was convinced that the

[41] *Boston Evening Transcript*, January 30, 31, 1912.
[42] *New York Call*, January 25, 1912.
[43] *Bill Haywood's Book, an Autobiography*, International Publishers, New York, 1929.
[44] *Ibid.*, p. 91.

American Federation of Labor, with its craft unionism and conservatism, was a stumbling block to the progress of the working class. A Western activist by temperament, he put his rough and potent eloquence, his physical courage, and his magnetism as a leader in the service of his tender sympathies for the downtrodden and oppressed. After 1909 he became the tribune of the unskilled and unorganized in the East. Their cause he championed not only against the employers but even with more vigor against the smugness of the movement of the skilled and better situated workers.

Habeas corpus proceedings for the two arrested Lawrence leaders failed in the Supreme Judicial Court.[45] A police court judge sentenced in one day 34 strikers to one year each in the House of Correction.[46]

As a measure of strike relief and to gain publicity, the committee hit upon a move in vogue on the Continent of sending strikers' children to the homes of friends and sympathizers in other cities. Such homes were selected after an investigation. One hundred nineteen children left Lawrence on February 10 and were met in New York City by about 5000 people, examined by physicians, and turned over to sympathizers.[47] On February 17, 92 additional children arrived in New York City, and before going to their temporary homes, paraded down Fifth Avenue.[48] The commander of the troops in Lawrence did not appreciate this European custom, and the chief of police forbade the sending away of any more children. On February 24 when a new group of children were about to entrain, 50 policemen and two companies of militia sought to prevent their departure. An unseemly struggle ensued between fathers and mothers eager to send their children off and the armed forces of authority. In the *mêlée* children were snatched from their parents, many parents clubbed, and parents and children dragged to jail.[49] The parents were brought before the court on the charge of neglect but were dismissed.[50] The children were brought to court, but they were also dismissed. The great outcry against the authorities prevented future interference.

[45] *Boston Evening Transcript*, February 6, 1912.
[46] Heaton, John P., "The Legal Aftermath of the Lawrence Strike," *Survey*, July 6, 1912, p. 509.
[47] *New York Call*, February 11, 1912.
[48] *Ibid.*, February 18, 1912.
[49] *Boston Evening Transcript*, February 24, 1912.
[50] Carstens, C. C., "The Children's Exodus from Lawrence," *Survey*, April 6, 1912, p. 71.

Another innovation in strike technique, to meet systematic interference by the militia, was the endless chain picket line, in which thousands of pickets were kept marching around the mill, with a white arm band reading "Don't be a scab." [51]

On March 1, 1912, a number of mills, led by the American Woolen Company, announced a 5 per cent wage increase. The owners also relented on their stand against meeting with the strike committee. The latter, however, refused to be satisfied with the raise, and insisted upon a 15 per cent increase.[52] Another conference was held on March 7. The employers agreed to announce definite terms in a few days. With victory seemingly in their grasp, the strike committee put on its biggest picketing demonstration. More than 20,000 workers were on the picket line the morning of March 11.[53]

On March 12 the American Woolen Company offered wage increases ranging from 2 cents an hour to the lowest paid (9½ cents an hour) to 1 cent an hour to the highest paid group (12 to 20 cents an hour), time and one-quarter for overtime, no discrimination in re-employment, and bi-monthly payment of accrued premiums.[54]

The offer was accepted by the strike committee and indorsed at a mass meeting.[55] The strike in most mills ended on March 13.

The effect of the Lawrence strike was felt beyond the confines of the city. Several days before the final settlement, an announcement was made of a raise in wages throughout the textile mills of New England. It was estimated that more than 250,000 benefited.[56]

At the end of March the few remaining irreconcilable mill owners fell in line.[57] On March 30, the children were triumphantly brought home.[58]

The strike settled, the case of Ettor, Giovanitti, and a third defendant, arrested for murder in April, remained to be disposed of. In addition nine of the strike leaders, including Haywood, had been indicted for conspiracy.[59] Ettor and Giovanitti were

[51] *Report on Textile Strike in Lawrence, Massachusetts*, p. 50.
[52] *Boston Evening Transcript*, March 4, 1912.
[53] *New York Call*, March 12, 1912.
[54] *Report on Textile Strike in Lawrence, Massachusetts*, pp. 58–59.
[55] *Boston Evening Transcript*, March 13, 1912.
[56] *Ibid.*, March 9, 1912.
[57] *New York Call*, March 25, 1912.
[58] *Ibid.*, March 31, 1912.
[59] *Ibid.*, April 20, 1912.

removed to Salem, Massachusetts, awaiting trial. Meetings of protests were held throughout the country in their behalf. On September 15 Haywood addressed more than 25,000 people on the Boston Common.[60] A one-day protest strike in Lawrence and nearby industrial towns broke out on September 30.[61]

Excitement in Lawrence was kept up by an incident in a memorial parade on September 29. Fifteen thousand marched, ending in a clash with the police. One of the banners carried the Anarchist slogan, "No God, No Master." It became the occasion for an attack on the I. W. W. by members of the clergy and inspired a counter parade on Columbus Day with suitable patriotic mottoes.[62]

At the trial the State sought to connect Ettor with the murder by showing that he had advocated violence. Before the case was given to the jury, both Ettor and Giovanitti were allowed to address it. They pleaded for justice and not mercy.[63] The jury was out six hours and acquitted the three defendants.[64]

The Lawrence strike made a profound impression on the public mind, on organized labor, and on the *intelligentsia.* The shockingly low wages paid by the highly protected woolen industry served as added proof of the contention by the political progressives of the day that American government was run for the benefit of the few, who contrary to the claims of the conservative protectionists had failed to pass prosperity down to the working man. The exhibition of solidarity by a polyglot mass in that strike, together with the dangers of an awakened, unorganized, and unskilled group following a revolutionary leadership concerned with their woes, showed to the heads of the American Federation of Labor the necessity of revising its program toward the lower strata of labor. To the young American *intelligentsia,* Lawrence was proof that a revolutionary American labor movement, which had been forecast as inevitable in the theoretical socialistic writings, was here at last, and deepened its dissatisfaction and impatience with the leadership of the American Federation of Labor.

The Lawrence strike, from which, as we have seen, the textile

[60] *Solidarity,* September 21, 1912.
[61] *Boston Evening Transcript,* September 30, 1912.
[62] Russell, Philips, "The Second Battle of Lawrence," *International Socialist Review,* November 1912, pp. 477–482.
[63] *New York Call,* November 24, 1912.
[64] *Ibid.,* November 27, 1912.

workers of all New England benefited, was especially effective in putting heart into the workers in that industry. The next conflict fought under the leadership of the I. W. W., was in the silk industry of Paterson, New Jersey.

In 1912 there were in Paterson about three hundred silk mills. They were all dependent upon the dye houses for their dyed silk. The dye houses were mainly controlled by two companies, the Wiedman Silk Dyeing Company and the National Silk Dyeing Company, which also owned plants outside of Paterson. In silk weaving proper the Henry Doherty Company and the Dexter and Lambert Company led the field and controlled the labor policy through the Silk Manufacturers' Association and the Master Dyers' Association.[65]

The first signs of discontent appeared in the early part of 1912. In February 1912, 5000 broad silk workers struck under the direction of the Detroit faction of the I. W. W.[66] The Detroit I. W. W. had come into the Paterson situation taking advantage of a spontaneous strike by the weavers against the recently introduced three- and four-loom system. The United Textile Workers, which had a branch in the city, had threatened to strike but accepted arbitration. But the weavers refused to wait and struck spontaneously on November 10. The Detroit I. W. W. stepped in and drew up a schedule which was accepted in many shops.[67]

Nevertheless the three- and four-loom system spread, and 26 companies had adopted it by January 1913. In the latter part of 1912 the Chicago I. W. W. began activity in Paterson. It claimed that its Detroit rival had by its intervention made conditions worse. On February 1, 1913, the Chicago I. W. W. called a strike against the Henry Doherty mills [68] and converted it into a general strike on February 25. Eight thousand weavers and dyers responded at once. The demands were the re-establishment of the two-loom system, the eight-hour day and a minimum wage of

[65] *Solidarity*, June 7, 1913.

[66] As a result of the 1908 convention of the I. W. W., in which the political clause was deleted from the preamble, the adherents of the Socialist Labor Party formed the Detroit I. W. W. Later it changed its name to the Workers' International Industrial Union. It led few strikes and played an unimportant rôle in the history of the period. However, the strike of 1912 was a prelude to the more spectacular one in 1913, which was led by the "real" I. W. W., the Chicago I. W. W., of Haywood, Ettor, and Gurley Flynn.

[67] Sumner, Mary Brown, "Broad Silk Weavers of Paterson," *Survey*, March 16, 1912, pp. 1932–1937.

[68] *Solidarity*, March 1, 1913.

$12 a week for all dye workers.[69] Immediately, without waiting for any violence, the public authorities proclaimed their intention to "nip the strike in the bud." Three I. W. W. leaders, Gurley Flynn, Carlo Tresca, and Patrick Quinlan were ordered out of town, but refused to leave. Picketing was forbidden and even an indoor meeting was dispersed.[70]

By February 27 every branch of the industry was paralyzed. A General Shop Committee of 100 was in charge. It was subdivided into committees on ways and means, publicity, information, relief, etc. The strikers were urged to avoid open conflicts with the police by the socialist mayor of an adjacent town, Haledon, who gave them an unlimited invitation to hold public meetings. The Paterson police seized 5000 copies of the *Weekly Issue*, a socialist paper, containing a denunciation of the Paterson police.[71]

The strike kept growing. Practically all of the dye works in the city were tied up by March 3. On the 6th, 3000 ribbon weavers struck for the eight-hour day and for a twelve-dollar minimum wage. The following day the strike was complete. Haywood arrived in the city. The chief of police interviewed him about violence. Haywood replied that he advocated "the folding of arms." [72] A parade of 35,000 marched from Paterson to Haledon to listen to speeches.[73] However, Haywood's discretion did not save him from arrest. He was about to address an open-air meeting in Paterson. When informed that he would not be permitted to speak, he asked the audience to go to Haledon, and was arrested with the secretary of the strike committee as they were about to cross the city line. They were charged with disorderly conduct and sentenced to six months in jail. Upon appeal to a higher court, they were released and the police were reprimanded.[74] However, the usual mass arrests of pickets continued. The Paterson Board of Aldermen called a mass meeting on the strike. The strikers came and their leaders presented their grievances. The aldermen urged arbitration, but the employers were firm.[75]

On April 18 an innocent bystander was killed by detectives firing at pickets. Twenty thousand strikers participated in his funeral.[76] After the strike was two months old, John Golden,

[69] *New York Times*, February 26, 1913.
[70] *New York Call*, February 27, 1913.
[71] *Ibid.*, March 1, 1913.
[72] *Ibid.*, March 8, 1913.
[73] *Ibid.*, March 10, 1913.
[74] *Ibid.*, April 6, 1913.
[75] *Ibid.*, April 12, 1913.
[76] *Ibid.*, April 23, 1913.

President of the United Textile Workers of America, called a mass meeting. The strikers turned out but left the hall when Golden would not permit the floor to any I. W. W. leaders.[77]

The grand jury returned conspiracy indictments against six of the leaders of the strike. The day the indicted appeared for trial, 10,000 strikers assembled outside of the court room and cheered the leaders. Pat Quinlan, a socialist organizer, was tried for inciting to violence. The first jury disagreed. The second trial began the following day and ended in his being sentenced from two to seven years in prison. Alexander Scott, the editor of the *Weekly Issue*, was next brought to trial. He was charged and found guilty of aiding and abetting hostility to the government and he was sentenced to serve from one to fifteen years in prison and fined $250. The verdict in the Scott case was later overruled by the Supreme Court of New Jersey. The sentence of Quinlan was confirmed.[78] Elizabeth Gurley Flynn was tried but the jury disagreed. Frederick S. Boyd, an English intellectual, was also sentenced to the penitentiary for inciting to riot.[79]

In the thirteenth week of the strike, one of the mills attempted to reopen. The police co-operated by taking extra severe measures against the pickets and closed the two halls in which the strikers had been meeting.[80] Still the strikers held out.[81]

Late in May some inventive mind in the employer camp made use of the symbol of the country, the American flag, as a strike-breaking device. The town was decked in patriotic colors and placards decorated with flags bearing the following inscriptions appeared in the store windows: "We live under this flag; we fight for this flag; and we will work under this flag." The striking silk workers neatly parried the move by the declaration: "We wove the flag. We dyed the flag. We won't scab under the flag." [82]

The strike continued but hope of success was becoming dim. Funds were running low, and over a thousand strikers became actors for the occasion and presented in Madison Square Garden in New York a pageant of labor's struggles.[83] On June 9 a number of

[77] *Ibid.*, April 22, 1913.
[78] *United States Commission on Industrial Relations*, Vol. 3, p. 2520.
[79] *Solidarity*, October 11, 1913.
[80] *New York Call*, May 21, 1913.
[81] *Ibid.*, May 27, 1913.
[82] *Ibid.*, July 13, 1913.
[83] *New York Times*, June 7, 1913; *New York Call*, June 8, 1913.

ribbon weavers decided to return. It was the first real break in the ranks.[84]

In July the drift back to work became more general. After holding out for 22 weeks, the strike ended.[85] During its course 2338 were arrested, 300 were held for the grand jury, and more than 100 were sentenced to imprisonment.[86]

The strike of the Akron rubber workers in 1913 was another spontaneous uprising of the unorganized. It was begun on February 11 by 300 finishers at the Firestone Company's plant in protest against a new piece work rate which reduced their earnings from $3.50 to $2.50 for a 10-hour day. Some casual members of the I. W. W. amongst them directed them to the local I. W. W. hall. They were welcomed and given leadership. Four days later, 3500 were on strike and at the end of two weeks 20,000, or practically the whole force of the Goodrich, Diamond, Goodyear, Firestone, and Buckeye plants was out.[87]

The American Federation of Labor had in the past tried to organize the rubber plants. In 1906, a local of 500 was established. The headquarters of the young union were entered during the night, the books and records carried away, and every union man discharged.[88] From 1906 to 1913 no trace of organization existed.

The I. W. W. leadership showed the strikers how to improvise an organization and a relief system. The demands were the abolition of the speed up system and a 25 per cent increase in wages. The State Board of Arbitration tried to bring about a meeting between the strikers and their employers. The employers refused to meet the I. W. W. The State Senate appointed an investigating committee to probe the situation.[89] The Board of Arbitration reported to the Governor that the trouble in Akron was due to general unrest rather than to specific injustices.[90] But the Akron Central Labor Union, affiliated with the American Federation of Labor, despite the I. W. W. leadership appealed for aid for the strikers.[91]

A local clergyman organized 700 local business men into the

[84] *New York Times*, June 10, 1913.
[85] *The Outlook*, August 9, 1913, p. 780.
[86] *United States Commission on Industrial Relations*, Vol. 3, p. 2534.
[87] *Solidarity*, February 22, 1913.
[88] Marcy, Leslie H., "800 Per Cent and the Akron Strike," *International Socialist Review*, April 1913, p. 712.
[89] *Industrial Worker*, March 6, 1913.
[90] *Solidarity*, March 8, 1913.
[91] *Cleveland Citizen*, March 8, 1913.

Citizens' Welfare League. They were armed with clubs and axe-handles and sworn in as special policemen. On March 7, 2000 strikers staged an endless chain march around the Goodyear Rubber Company, calling upon those on the inside to join the strike. At the end of the shift the pickets, refusing to stand aside, were charged by the police and deputies with several arrests.[92]

The Citizens' Welfare League began to emulate the Western *vigilante* committees through flying squadrons armed with clubs. On the 15th of March, the Central Labor Union called a meeting of all Akron unions to consider the calling of a general strike.[93]

The announcement that William D. Haywood would arrive to address the strikers set the town agog. Threats against his life were made. Haywood came and was met by several thousand strikers and 300 police and deputies. The police captain in charge tried to stop him. Haywood demanded to be shown a warrant. The captain was non-plussed. "Then stand aside," ordered Haywood, "I'm going to the workers." [94]

Yet the strike was apparently drawing to an end. In the last week of March it collapsed completely.[95] The State Senate Committee which investigated the strike, reported that the strike was justified. The committee, however, deplored the I. W. W. leadership.[96]

After the strike had ended it was discovered by the I. W. W. that during 1912 and 1913 the local officers of the Akron branch of the I. W. W. had been in the pay of a Cleveland detective agency.[97]

During the spectacular struggles East and West in 1911–13, there arose within the I. W. W. serious questioning regarding the basic strategy of dualism. There was also a division of opinion on organization management. The challenge to dualism came from William Z. Foster. Foster had gone to Europe and was won over to the ideas of "boring from within" the conservative unions advocated by the French syndicalists. He would have the I. W. W. become a propaganda league rather than a functioning labor union. Foster made a few converts among the anarchist intellec-

[92] *Solidarity*, March 15, 1913.
[93] *New York Call*, March 16, 1913.
[94] *Solidarity*, March 22, 1913.
[95] *Ibid.*, March 29, 1913.
[96] *New York Call*, April 19, 1913.
[97] *Cleveland Citizen*, May 31, 1913; *Solidarity*, January 17, 1914.

tuals, but scant impression upon the I. W. W. He left the I. W. W. and organized a Syndicalist League in 1912.[98]

But the real problem was the issue between centralizers and decentralizers. In a movement such as the I. W. W. the appeal against central authority was bound to be potent. The constant agitation against officials, the continued harping on the dishonesty of labor leaders, could not fail to affect the outlook of the membership. Many were ready to believe any insinuations and charges circulated against the central officers.

The first move in the direction of decentralization was made by the Pacific Coast locals. They held a regional conference to devise more efficient methods of propaganda, to establish a speakers' circuit, to create a press fund, to take over the management of the *Industrial Worker*, and to begin accumulating an eight-hour fund. Thus far the conference was within its proper orbit from the standpoint of the national organization. But when it went further and set up a Pacific Coast District Organization it laid itself open to suspicion of fomenting a disruptive regionalism.[99] For two years the issue remained on the plane of discussion. It was given a sharp practical turn when the General Executive Board removed the editor of the *Industrial Worker*, of Spokane, heretofore under the control of the Pacific Coast locals, replacing him by one of their number.[100] This unloosed a rebellion of the decentralizers. The decentralizer locals retaliated by boycotting the paper and withholding necessary funds.[101]

The question came before the eighth annual convention. The General Executive Board charged the decentralizers with seeking to disrupt the I. W. W.[102] Of the several proposals by the decentralizers one would have deprived the General Executive Board of authority to send an organizer unless requested by the local membership, and another would have abolished the General Executive Board altogether.[103] Both proposals were defeated by the convention, and the removal of the editor of the *Industrial Worker* was upheld.[104]

[98] See Chapter XL. *Agitator*, May 15, 1912; *Industrial Worker*, August 4, 1913.
[99] *Solidarity*, October 21, 1911.
[100] *Industrial Worker*, July 17, 1913.
[101] *Ibid.*, August 4, 1913.
[102] I. W. W., *Eighth Annual Convention*, 1913, p. 36.
[103] *Ibid.*, pp. 54–56, 82.
[104] *Ibid.*, pp. 156–159.

This struggle has been interpreted as one between the East and the West, the West being decentralist.[105] Yet the evidence hardly supports it. Vincent St. John, Secretary-Treasurer of the I. W. W., a last ditch opponent of decentralization, had gained his labor experience in the metal mining camps of the West. The general organizer, George Speed, was a product of the California labor movement. All but one of the remaining members of the General Executive Board were also Westerners. On the other hand, the two most vocal decentralizers at the convention were the delegates from New York and Pittsburgh.[106] The real division was between experienced and inexperienced leadership. The very charge that the centralizer faction was dominated by former members of the Western Federation of Miners lends support to this conclusion. Veterans of many fights, they knew the grave risks of a "localist democracy" in struggles which might become crucial to the life of the whole organization. The inexperience of the decentralizers was admitted by a correspondent writing in the *Voice of the People*, their own organ. He admitted that they had no plan or program and that theirs was "a protest not confined to any section." [107]

The campaign of the I. W. W. to organize the submerged workers in the Eastern factory districts ended in failure. Even in Lawrence where the strike had brought tangible results in wage increases, no permanent organization resulted despite the courage and the devotion of the leadership. Often the failure has been attributed to the philosophy of the I. W. W. Conservative unionists have charged that the unduly advertised class ideology of the I. W. W. acted as a catalytic agent transforming the latent hostility of a conservative industrial community to labor organization in general into a violent and dynamic force. This charge contains more than a measure of truth. Yet it hardly does justice to the rôle of the I. W. W. Conservative unionism had held the field to itself for many years and, beyond small organizations of the skilled, had nothing to point to its credit. The I. W. W. had at least been able to awaken public opinion to the deplorable conditions of many hundreds of thousands of wage earners in the richest section of the country, and also to force wage increases by direct

[105] Brissenden, *op. cit.*, p. 314.
[106] I. W. W., *Eighth Annual Convention*, pp. 82–110.
[107] *Voice of the People*, October 9, 1913.

pressure on the employers. A charge has been made against the I. W. W. from another direction, from the "left." The failure of the I. W. W. to build permanent organizations has been explained by its semi-anarchist philosophy which casts suspicion on any effort to build for permanence and, therefore, consciously or unconsciously, paralyzes the very will to build. This view overlooks the inherent obstacles to permanent organization in such situations. The employers, accustomed for generations to deal with docile labor, are provoked to the highest degree of resentment and resistance. The workers are in the main peasant immigrants normally frightened by their American environment. They rightfully feel that all of the agencies of organized society are controlled by their employers—the police, the courts, the city and state governments, the Church, and even social service institutions. Moreover, they are frightfully divided among themselves by nationality lines and by inherited mutual animosities. Under great stress, produced as in Lawrence and at McKee's Rock by a reduction of an already miserable wage, these grievously treated workers are capable of revolting and of acting with the heroism of despair. It was then that the I. W. W. entered and, by furnishing leadership and technical knowledge, converted a sudden revolt into a prolonged and disciplined campaign. However, the campaign once ended, whether in victory or defeat, the normal attitude of apathy towards the conditions of the job and the equally normal distrust of one nationality towards another, returned. Permanent labor organization could hardly be expected in such an environment and from human material thus conditioned. Those who followed the I. W. W., confident of the superiority of their own ideology, learned the same bitter lesson.

CHAPTER XXIV

THE UPSWING OF SOCIALISM

The Socialist Party was a union of heterogeneous and conflicting elements. In its ranks could be found "opportunist" socialists, who favored emphasis upon immediate demands and municipal ownership and reform; the "impossibilists" who advocated a clear-cut revolutionary program of overthrowing capitalism and ignoring immediate demands; and the radical and middle class reformers who were not socialists, but who believed in supporting a party of protest. Another important element was the "middle of the road" Populists, who, left without a home after the Bryan fusion, attached itself to the Socialist Party.

The conflict between these diverse elements began immediately after the formation of the Socialist Party.[1] The Party was decentralized. Too many of its founders had fresh in their memories DeLeon's personal dictatorship in the Socialist Labor Party. As a result many local groups adopted platforms designed to draw non-socialist votes. The revolutionary socialists, the impossibilists, saw in this trend treason to the Party's revolutionary goal.[2] Although this group was very vocal, the Party was, from the beginning, in the control of the opportunist Hillquit-Berger group. At the convention in 1904 the impossibilists fought against the insertion of immediate demands in the platform and sought to place control of the socialist press in the hands of the Party, making membership in socialist publishing associations not under the control of the Party punishable by expulsion. The impossibilists were accused of trying to emulate the DeLeon dictatorship and were defeated by a large majority.[3] On the trade union issue the impossibilists went even farther than DeLeon. He had sought to subject the trade unions to Party control; to them trade unions were no less than "patch-work and fallacious." The trade unionist delegates countered by calling the impossibilists "intellectuals and

[1] See articles on "Platform and Tactics" in *Chicago Socialist*, April, May, June, and July 1902.

[2] Van Rensselaer, James T., "The Revolutionary Nature of the Socialist Movement," *International Socialist Review*, July 1903, pp. 34–41.

[3] Socialist Party of America, *Proceedings of National Convention*, 1904, pp. 84–98.

visionaries." The anti-trade union resolution was defeated by 107 to 52.[4] The Party named Eugene V. Debs and Ben Hanford the national standard bearers, and both conducted a very active campaign. The high hopes of the socialists were fully realized when the returns were in. The total vote increased from 96,931 in 1900 to 409,230.[5]

Between 1904 and 1908 the Party membership grew markedly. Liberal preachers, settlement workers, and intellectuals fresh from college began to discover socialism. At the convention of 1908 the opportunists were again in control, and Debs and Hanford again were chosen for President and Vice-President.[6] But the Party vote in 1908 was virtually unchanged. It rose only from 409,230 to 424,483.[7]

For a young party failure to increase its popular vote is an indication of a serious condition. The most obvious cause was William Jennings Bryan. Four years earlier with Alton B. Parker, a conservative Wall Street lawyer, running against Roosevelt in the place of Bryan, the protest vote naturally went to Debs. In 1908 the Great Commoner was again leading a crusade against monopoly and privilege and the protest vote, some of which might have gone to Debs, was solidly cast for the Democratic candidate. However, the socialists were unwilling to adopt this explanation so discouraging for the future of the Party. The failure was variously interpreted: lack of militancy, domination by intellectuals, and faulty propaganda methods. Accordingly some of the younger intellectuals demanded a reshuffling of the Party leadership, and the ousting of Morris Hillquit, John Spargo, Robert Hunter, and other moderates from positions of authority.[8] The same faction charged that owing to the dominance allowed the middle classes, the Party had failed to arouse the workers. It was even sought, in ultra intellectual quarters, to counteract the middle class influence by having the Socialist Party sponsor a Labor Party. The controversy gradually subsided. The fact was that the struggle was mainly between two groups of intellectuals, the old line leaders and a younger group.[9]

[4] *Ibid.*, pp. 179–215.
[5] Socialist Party of America, *Proceedings of National Congress*, 1910, p. 31.
[6] Socialist Party of America, *Proceedings of National Convention*, 1908, pp. 146–151.
[7] Socialist Party of America, *Proceedings of National Congress*, 1910, p. 31.
[8] See *New York Call* for November and December 1909.
[9] *International Socialist Review*, January 1910, pp. 595–609.

After 1908 the Party membership grew apace. The whole country was going "progressive" and the "leftist groups," including the socialist movement, were benefiting from the general trend. In 1910 the Party averaged 58,011 dues paying members. The socialist press counted three English and six foreign language dailies and 29 English and 22 foreign language weeklies. The number of branches had increased from 1900 in 1907 to 3200 in 1910 and state organizations functioned in 42 states.[10]

After 1910 the West and the South showed the greatest socialist growth. In 1910 the first socialist congressman, Victor L. Berger, was elected from one of the Milwaukee districts. The election of Emil Seidel as mayor of Milwaukee six months earlier, was considered a Rubicon not alone by socialists.[11] The membership more than doubled between 1910 and 1912, rising from 58,011 to 125,826.[12] A network of socialist locals covered the whole United States. The Party was becoming a power to be reckoned with.

However, this symphony of rejoicing was not without a discordant note. A considerable membership under the influence of the I. W. W. believed in a program of radical action not excluding violence and sabotage. These revolutionaries were not necessarily orthodox Marxians but rather socialists of the activist stripe. The important centers of this radicalism were in the Northwest, notably in Washington and Oregon, but its influence was felt in other sections as well, as in Ohio. At the same time the national Party leadership was propelling the Party to the right. The McNamara dynamite case had stirred the country. The McNamaras had admitted their guilt and thereby furnished the open shop employers with a most effective propaganda weapon against the several labor movements. The American Federation of Labor, which, having assumed their innocence, had rallied to the defense of the McNamaras, was assailed for "fostering anarchy" and encouraging crime.[13] The Socialist Party leaders chose to add to the avalanche of condemnation of the Federation on the ground that its refusal to give labor an outlet in independent political action threw it back upon physical violence. William D. Haywood, a

[10] Socialist Party of America, *Proceedings of National Congress*, 1910, pp. 27, 32–33; *Proceedings of National Convention*, 1912, p. 219.

[11] Fine, Nathan, *Labor and Farmer Parties in the United States, 1828–1928*, The Rand School of Social Science, New York, 1928, p. 224.

[12] Socialist Party of America, *Proceedings of National Convention*, 1912, p. 219.

[13] See Chapter XXVI.

member of the National Executive Committee of the Party, remained unruffled by the McNamara confessions. He did not condemn violence when used in the interest of the workers.[14] This was the frontiersman in Haywood speaking, but he expressed the thoughts of thousands of socialists throughout the country who were irked by the respectability of the right wing leaders.

The convention of 1912 incorporated into the Party constitution article 2, section 6 providing that "any member of the Party who opposes political action or advocates crime, sabotage, or other methods of violence as a weapon of the working class to aid in its emancipation shall be expelled from membership in the Party." Obviously the clause was aimed not at the orthodox Marxians whose theoretical revolutionism was either unknown to the public and in any event failed to produce hostile reaction, but at the followers of Haywood. It provoked a long and heated debate, but was adopted by a vote of 191 to 90.[15] It was an order to the radicals to leave the party. The convention nominated Eugene V. Debs and Emil Seidel.

The 1912 results were indeed encouraging. The Party polled 897,011 votes, the highest percentage of the total vote ever polled by the socialists in the United States.[16] The greatest progress was made in the West. The following figures show the percentages of the socialist vote to the total vote, and the absolute socialist votes in the states where the percentages were ten or above:

State	Percentage of Total	Vote of Socialist Party
Oklahoma	16.6	42,262
Nevada	16.5	3,313
Montana	13.6	10,828
Arizona	13.3	3,163
California	12.0	79,201
Washington	12.4	40,445
Idaho	11.3	11,960

The largest percentage polled in an industrial state was in Ohio, with 8.7 per cent and 89,930 votes. Illinois showed 7.1 per cent and 81,278, and Pennsylvania 6.9 per cent and 83,614. New York

[14] *International Socialist Review*, February 1912, pp. 164–165; *Survey*, December 30, 1911, p. 1422.

[15] Socialist Party of America, *Proceedings of National Convention*, 1912, pp. 122–137.

[16] Fine, *op. cit.*, p. 216.

with 4 per cent and 63,381 votes and New Jersey with 3.7 per cent and 15,901 votes were below the average for the country, 5.9 per cent; and the Middle Western states, except Wisconsin, were also below that average.[17]

The victory gained by the opportunists at the national convention emboldened them to further action. The State Committee of New York initiated a movement to recall William D. Haywood from the National Executive Committee. It was seconded by the State Committee of New Jersey and by the District of Columbia Committee. Haywood was charged with violating article 6, section 2.[18] Defenders of Haywood sprang up throughout the Party, especially among the younger intellectuals. Among these protesters was Walter Lippmann.[19] Haywood was ousted from the National Executive Committee, but it cost the Party heavily in membership and in prestige in militant labor circles. The *Party Builder* reported a loss of more than 50,000 members between June 1912 and June 1913.[20]

The Party failed to hold a national convention in 1916, and instead named its standard bearers through a membership referendum. Allan A. Benson, a journalist whose socialism was of the mildest variety and a pacifist, was nominated for President with George R. Kirkpatrick for Vice-President. The big question before the American people was the possibility of the United States becoming involved in the European war. As Wilson made his campaign on the slogan "He Kept Us Out of War, and was the undisputed leader of the middle class reform movement, the naming of an obscure middle class pacifist made failure a foregone conclusion. The result was a loss of more than 300,000 votes from the 1912 high-water mark.[21]

[17] Walling, William English, "Socialist Gains and Losses in Recent Elections," *New Review*, February 8, 1913.
[18] *Socialist Party Monthly Bulletin*, January 1913.
[19] *International Socialist Review*, February 1913, p. 622.
[20] *New Review*, August 1913.
[21] Fine, *op. cit.*, p. 216.

SECTION III

LIMITED ADVANCES AND THE EFFECTS OF THE WAR, 1910–1920

CHAPTER XXV

A NEW AREA OF INDUSTRIAL GOVERNMENT

The membership of the American Federation of Labor remained virtually stationary between 1905 and 1910. In these critical five years American unionism was strictly on the defensive against employer attacks on the industrial, legislative, and judicial fronts. In 1910 the upward movement was resumed, but without the pronounced impetus of the earlier period of growth, 1898–1904. The total membership of the Federation was 1,996,000 in 1913, an increase of 434,000 over 1910. If we include the organizations unaffiliated with the Federation, among them the bricklayers and the four railway brotherhoods, 1910 was likewise a turning point, with a total of 2,753,000 in 1913, or 569,000 in excess of 1910.[1] From 1913 to 1915, when the effects of the European war first made themselves felt, the membership remained stationary or even slightly receded.

The membership growth from 1910 to 1913 was far from evenly distributed over the whole labor movement. There was an increase of 157,000 in mining, of 94,000 in building, of 66,000 in clothing, and of 77,000 in transportation—accounting for about 70 per cent of the total growth. In clothing, union membership stood in 1913 about 68 per cent above 1910, in mining about 60 per cent, but in building and transportation only 21 per cent and 16 per cent respectively.[2] Thus the notable advances during 1910–13 were advances mainly limited to two industries, clothing and mining. It was in clothing, however, where the advance was not only in membership but also in a spectacular conquest of a new province for industrial government based on union recognition.

The Jewish immigrants who entered the clothing trades during the early eighties introduced the task system. Its main characteristics was the co-operation of a team, or a group of workmen, in the making of a garment. Wages were actually paid by the piece, and at first employees were able to earn, due to the use of

[1] Wolman, L., *The Growth of American Trade Unions, 1880–1923*, p. 33; American Federation of Labor, *Proceedings*, 1932, p. 51.

[2] Wolman, *op. cit.*, pp. 110–119.

the machine, as much as custom tailors. Gradually, however, under the grinding pressure of the merchant-capitalist system with its cut-throat competition, rates were so reduced by enlarging the number of garments in the task, that notwithstanding the inhumanly long working day it was only the exceptional group that was able to complete a "day's task" in one day.[3]

Labor organizations in the garment trades began to appear in the later seventies but only to disappear after a short and hectic existence. In 1882, a Dress and Cloakmakers' Union in New York called the first "immigrant strike" for a ten-hour day and a piece rate to allow a $15.00 weekly wage. The strikers won, but the union disintegrated.[4] This strike set the pattern followed for more than 25 years by Jewish unionism. Conditions would be permitted to become unbearable before resorting to collective action. Then would come a strike in the nature of a crusade fought with great bitterness and heroism by an improvised organization. The strike would usually end in a formal and much acclaimed victory, but to be followed by a loss of interest in the union and an undermining both by bosses and workers of the hard won standards.[5]

The instability of the Jewish labor unions led to the conclusion that the Jewish worker was unorganizable under all conditions. In the light of subsequent developments it is evident that this conclusion overlooked very important factors of a non-permanent nature. The Jewish clothing worker regarded his job as a stop gap, and though the industry long continued to be manned wholly by Jews, the individuals were constantly shifting to other occupations, many becoming employers of newer arrivals. Often the labor crusader of yesterday became the unconscionable sweat shop boss of today. Moreover, with the merchant-capitalist in the key position to dictate wages through low rates to the contractor, and himself removed from the hiring of labor, the unions long lacked a fulcrum for a permanent raising of the conditions in the trade.

In 1885 the United Tailors was launched. The union thrived, a number of strikes were won, and soon the union had five functioning branches in New York City. The socialists were dissatisfied with

[3] Commons, John R., "The Sweating System in the Clothing Trade," in *Trade Unionism and Labor Problems*, Ginn and Company, Boston, 1905, pp. 324–327.

[4] Leiserson, William M., *The Jewish Labor Movement in New York*, a unpublished manuscript, Library of University of Wisconsin, pp. 18–19.

[5] White, Henry, "A Labor Leader's Own Story," *World's Work*, November 1911, p. 108.

the conservative leadership which appeared to neglect the "higher interests" of the working class, the struggle against the wage system. A split took place and the organization disintegrated.[6]

In 1890 the Dress and Cloak Makers' Union, then one year and a half old, conducted one of the most dramatic strikes in the history of a trade whose strikes are replete with pathos and drama. Three thousand five hundred cloak makers struck, and won a speedy victory. But three months later, the height of the season over, the employers locked them out. The lockout was bitterly fought, and after nine weeks an agreement was concluded. As the agreement was in English, and the strike committee was ignorant of that language, it reposed its confidence in a "professor." At the mass meeting called to ratify the agreement, it was disclosed that the benevolent intermediary had established too friendly relations with the employers, and the agreement was overwhelmingly rejected. In answer to the plea of the chairman for means to carry on the struggle, there came an outburst of mass enthusiasm and self-sacrifice which has recurred in Jewish strike meetings many times since. Men and women impulsively removed their wedding rings, watches, and left them in front of the chairman. The strike continued for two weeks longer, when the employers conceded most of the workers' demands.[7]

During 1889 the United Hebrew Trades, a central body of Jewish workers organized in 1888, brought together the piece workers and week workers employed on men's coats into the Brotherhood of Tailors.[8]

In April 1891, at a convention of 47 delegates from garment unions of Brooklyn, New York, Boston, and Philadelphia, the United Garment Workers of America was formed.[9] This organization gathered up the independent garment locals through the country, and by 1895 had also absorbed District Assembly 231, Knights of Labor, a national trade assembly of garment workers formed in 1873.[10]

[6] Leiserson, *op. cit.*, pp. 30–32.

[7] Levine, Louis, *The Women's Garment Workers*, B. W. Huebsch, Inc., New York, 1924, pp. 46–55; Leiserson, *op. cit.*, pp. 94–104.

[8] Levine, *op. cit.*, pp. 44–45; Leiserson, *op. cit.*, pp. 81–84.

[9] United Garment Workers of America, *Official Journal of Convention Proceedings*, 1891, p. 6.

[10] *Report of Industrial Commission*, Washington, 1901, XVII, 59; *The Clothing Workers of Chicago, 1910–1922*, the Chicago Joint Board, Amalgamated Clothing Workers of America, Chicago, 1922, p. 73; Pope, Jesse E., *The Clothing Industry in New York*, University of Missouri, 1905, pp. 211, 227; United Garment Workers of America, *Proceedings of 16th Convention*, 1910, p. 27.

The United Garment Workers was under an American non-socialist leadership. Friction was therefore unavoidable with the socialistic United Hebrew Trades of New York, the spiritual and intellectual fountain head of the Jewish unions.[11] The anarchists were a third rival influence. The absorption in what they called "ideological" conflicts militated against an effective pursuit of the "mere" job interests of the membership. Moreover, garment trades unionism was virtually restricted to New York City.[12]

The workers in the woman's wear branch formed a separate national organization in 1900. The industry had undergone great expansion in the nineties. Eleven delegates from seven organizations in four cities, representing 2000, launched the International Ladies' Garment Workers Union.[13] Like the United Garment Workers, of the men's clothing industry, it affiliated with the American Federation of Labor.[14]

Still another national union, the Journeymen Tailors' National Union, organized the custom tailoring trade. Founded in 1883 it had maintained a continuous existence, and, not being an immigrants' union, it escaped the complications arising from "ideological" struggles and shifting membership.[15] In 1899 the American officers of the United Garment Workers had concluded that it was best to seek a slow growth and a permanent membership imbued with a real union spirit.[16]

In 1904 the United Garment Workers' locals in New York made the acquaintance of the then country-wide open shop movement. Previously they had gained control over a number of shops. The National Credit Association of Clothiers, meeting in Philadelphia, organized a "labor bureau" to bring in the open shop.[17]

The New York clothing manufacturers began to gird for action. To the United Garment Workers this was a covert attempt to restore the sweat shop.[18] The New York Labor Bureau denied that such was the intent. Open shop notices were posted in the

[11] Leiserson, *op. cit.*, pp. 89–91.
[12] Levine, *op. cit.*, pp. 91–94.
[13] *Ibid.*, pp. 101–103.
[14] *Ibid.*, p. 103.
[15] Stowell, Charles Jacob, *The Journeymen's Tailors' Union of America*, University of Illinois Studies in the Social Sciences, 1918, pp. 9–10.
[16] *Report of the Industrial Commission*, Washington, 1901, XVII, 59.
[17] United Garment Workers of America, *Proceedings of 13th Annual Convention*, 1904, p. 63.
[18] *Weekly Bulletin of the Clothing Trades*, April 29, 1904, p. 1

cutting departments.[19] The membership of the United Garment Workers was overwhelmingly in favor of a walkout. President Gompers came on the scene. The Labor Bureau reiterated to him the open shop decision coupled with the usual promise not to discriminate against union men.[20]

The General Executive Board of the union ordered a strike. Twelve hundred cutters in the shops of the New York Clothing Manufacturers' Association came out at once.[21] By July 1, more than 25,000 were on strike. The Clothiers' Association firmly declined outside intervention, and, four weeks later, confident of victory, it instructed its members not to deal with the union, nor re-employ strikers in a body, nor to discharge non-union men. The New York strike was lost, as also were the strikes in Chicago and St. Louis at the same time.[22]

The turning point in needle trades unionism came with the strike of the shirt waist makers of New York in the winter of 1909–10. With this strike the labor struggles of the sweatshop workers ceased to be a mere succession of curious and dramatic incidents enacted by alien groups away from the main American industrial arena, and, without losing their foreign flavor, became an unquestioned and highly significant sector of the American labor front.

The trade was highly seasonal and the workers were subject to the abuses characteristic of sweated industries, such as charges for needles and power, arbitrary fines, and arrogant foremen. In July 1909, a dispute on prices between the "inside sub-contractors,"—or male employees who in turn employed from three to eight girl helpers—and one of the clothing firms led to a strike. The sub-contractors appealed to the Ladies' Waist Makers' Union, Local 25 of the International Ladies' Garment Workers' Union,[23] which helped their five weeks' strike to a successful issue.

The Triangle Waist Company had had a strike in 1908 and prepared against a recurrence of trouble by forming an early variant of the company union, in the form of an exclusive "benevolent" organization, which only one out of five was entitled to join. This scarcely arrested the movement for unionization, to which the

[19] *Ibid.*, May 6, 20, 1904.
[20] *Ibid.*, June 3, 1904.
[21] *New York Tribune*, June 22, 1904.
[22] Pope, *op. cit.*, p. 246.
[23] Levine, *op. cit.*, pp. 149–150.

employer replied by discharges of union members on the ground of lack of orders. As this was accompanied by advertising for new help, the union drew the proper conclusion and on September 27, 1909, called a strike against the firm.[24] Another important firm was tied up by a strike at the same time.

The strikers encountered great resistance. Arrests of pickets and assaults by hired guards were daily occurrences. Sentiment was growing for a general strike. On October 21, 1909, a general membership meeting of Local 25 voted for a general strike, and appointed a committee of five to make preparations.[25] Early in November, the Women's Trade Union League took an active interest, some of its members, of the middle and upper classes, joining the picket line and being arrested. A mass meeting was called for November 22, at Cooper Union. The hall was filled to capacity, and thousands were directed to other halls. The meeting had progressed for almost two hours, when a young girl striker made her way to the platform. She had been on the picket line and had suffered a beating from the hired guards. In an impassioned speech, in Yiddish, she demanded action, not words, and made a motion for a general strike. The audience went wild, swept away by hysterical emotion. When order was restored at last, the chairman asked for a seconder. Almost the entire audience rose to second. The chairman, taken aback, questioned, "Will you take the Jewish oath?" Two thousand arms were outstretched, while those assembled swore to keep the pledge or, "may this hand wither from the arm I now raise." [26]

About 15,000, mostly Jewish and Italian young girls, without union experience, came out on the first day.[27] To help the union, unprepared for this avalanche of new members, the Women's Trade Union League, the Socialist Party, the Central Federated Union, and the United Hebrew Trades furnished speakers and organizers, as well as financial aid.[28]

The strikers increased to 20,000, and a number of firms began

[24] De Leupp, Constance, "The Shirtwaist Makers' Strike," *Survey*, December 18, 1909, p. 384; Levine, *op. cit.*, pp. 150–151.

[25] Levine, *op. cit.*, pp. 151–152.

[26] *Ibid.*, pp. 153–154; De Leupp, *op. cit.*, p. 385; *New York Call*, November 23, 1909; *Souvenir History of the Strike of the Ladies' Waist Makers Union*, pamphlet, p. 12.

[27] Mailie, William, "The Working Girls' Strike," *Independent*, December 23, 1909, p. 1416; *New York Call*, November 24, 1909.

[28] Sumner, Mary Brown, "The Spirit of the Strikers," *Survey*, January 22, 1910, p. 550.

making individual settlements with the union.[29] On the other hand, pickets were suffering cruelly from the police and hired gunmen. On December 3, the strikers engaged in a protest march organized to apprise Mayor McClellan of the conduct of the police. The Mayor listened, but no change in police methods was ordered.[30]

One of the high points of the strike was a large meeting at the Hippodrome at which a representative of the Catholic Archbishop of New York, the superintendent of schools, and leading city officials spoke on the strike situation.[31] Marcus M. Marks and John Mitchell, on behalf of the National Civic Federation, tried to bring both sides together with a view to arbitration. At first the union demanded that recognition precede arbitration, but conceded the point when the employers showed unyielding opposition. The arbitration committee of two officers of the employers' association and of Morris Hillquit and John Mitchell for the union met, but broke up when the employers refused even to consider recognition.[32]

The conduct of the police brought the girl strikers the sympathy of many who are normally indifferent to organized labor. On December 13, officers of the union met with representatives of the Women's Trade Union League and a number of society women, including Mrs. O. P. H. Belmont and Anne Morgan of the banking families, to devise adequate protection for the strikers.[33]

In December the strike spread to Philadelphia. On December 23, the Associated Waist and Dress Makers of New York offered concessions on wages, hours, and shop conditions but refused both recognition and the guarantee of re-employment. The offer was overwhelmingly rejected by the strikers.[34]

Public sympathy for the strikers continued to increase. On January 2, 1910, another public mass meeting was held. The police were roundly condemned for their treatment of the pickets.[35] Seven hundred seventy-one pickets had been arrested, 118 during the partial strike and 653 during the general strike. Nineteen were sentenced to the workhouse, 248 fined, the remainder discharged or held for further trial.[36]

On January 11, the union offered to submit to arbitration. The

[29] *New York Call*, November 25, 27, 1909.
[30] *Ibid.*, December 3, 4, 1909.
[31] Levine, *op. cit.*, p. 160.
[32] *New York Call*, December 9–12, 1909.
[33] *Ibid.*, December 20–21, 1909.
[34] *Ibid.*, December 28, 1909.
[35] *Ibid.*, January 3, 1910.
[36] *Ibid.*, January 3, 1910.

manufacturers' association refused.[37] The union then concentrated upon securing individual settlements. On February 8, the strike was ended in Philadelphia.[38] In New York it continued a day longer, and on February 15, it was officially at an end. Three hundred thirty-seven firms had settled with the union, 19 of whom refused to accept the closed shop.[39]

The shirt waist makers' strike was the harbinger of a new wave of unionism in the needle trades. But it was hardly the beginning of industrial government in the industry. That came with the cloak makers' strike of 1910.

In 1910, 1500 cloak and suit shops employing more than 50,000 were operating in the women's garment industry. The industry was largely concentrated in New York City, with a total yearly output of $180,000,000.[40]

Sweatshop conditions dominated both in the so-called "inside" or manufacturers' shops, and in the contractor shops. In the former it took the form of sub-contracting by a workman who in turn employed others. This enabled the manufacturer to evade his responsibilities as an employer, and created a hierarchy of bosses each interested in reducing wages. During the busy season a 14- and 16-hour day was the rule.[41]

There was in 1908 a small cloak makers' local. This handful began to dream of a general strike. By 1910 the thought ceased to appear as a fixed idea of a few enthusiasts.[42] The convention of the International Ladies' Garment Workers' Union of that year empowered the General Executive Board to call a strike.[43]

The New York Joint Board, in charge of strike preparations, called a mass meeting of cloak makers for June 28. The turnout exceeded the most sanguine expectations. Madison Square Garden was packed to the doors, and additional thousands were forced to remain outside. The speakers, led by Samuel Gompers, ad-

[37] *Ibid.*, January 11–13, 1910.

[38] *Ibid.*, February 9, 1910.

[39] *Ibid.*, February 15, 1910; Goodman, Pearl, and Ueland, Elsa, "The Shirtwaist Trade," *Journal of Political Economy*, December 1910, p. 816.

[40] Levine, *op. cit.*, p. 169; Wyatt, Edith, "The New York Cloak Makers' Strike," *McClure's Magazine*, April 1911, p. 708.

[41] Levine, *op. cit.*, pp. 170–176; McPherson, John Bruce, "The New York Cloakmakers' Strike," *Journal of Political Economy*, March 1911, pp. 161–164.

[42] Levine, *op. cit.*, pp. 177–178.

[43] International Ladies' Garment Workers' Union, *Proceedings of the Tenth Convention*, 1910, pp. 17–88.

dressed the audience in English, Yiddish, and Italian.[44] Following the meeting, a secret strike vote was taken. Eighteen thousand, seven hundred seventy-one voted in favor, 615 opposed.[45]

Fifty thousand immediately responded to the strike call.[46] The numbers grew for several days. The leaders proved equal to the exacting task of managing the mass unaccustomed to strike discipline. The strikers were directed to halls, where a hall chairman was in charge. Shop chairmen were responsible to the hall chairmen, who supervised the detailing of pickets and the expenditure of strike relief.[47]

The union published its demands, organized a settlement committee, and invited the manufacturers to begin negotiations. The most important demands were the abolition of sub-contracting, equal distribution of work in the slack season, abolition of payment for electricity, the 48-hour week, recognition of the union, and the right of the organization to be represented in the shop by a delegate.

The membership of the Cloak, Suit and Shirt Manufacturers' Protective Association was enormously expanded by the strike. The larger firms, which dominated the Association, were determined on a war to the bitter end. The smaller firms, afraid that they would be sacrificed in a lengthy duel, were less belligerent.[48] The New York State Board of Mediation proposed a conference.[49] The union immediately accepted. The Protective Association declared that it would enter no conference until the strikers presented in writing their list of grievances and the union waived in advance the demand for the closed shop.[50]

A bill of grievances was presented. The executive committee of the Protective Association agreed to discuss all grievances, provided the union withdrew the demands for recognition, for the exclusion of non-union men from the shops, and for a written contract.[51] This produced a deadlock. Meantime, the union concentrated on signing up the smaller shops, and on July 21, it claimed that 22,000 had returned to work as a result of indi-

[44] International Ladies' Garment Workers' Union, *Proceedings of the Eleventh Convention*, 1912, p. 10; Wyatt, *op. cit.*, p. 709; Levine, *op. cit.*, p. 181; *New York Call*, July 1, 1910.
[45] *New York Call*, July 5, 1910.
[46] *Ibid.*, July 8, 1910.
[47] Levine, *op. cit.*, p. 182.
[48] Wyatt, *op. cit.*, p. 709; McPherson, *op. cit.*, pp. 156–157.
[49] *New York Call*, July 11, 1910.
[50] *Ibid.*, July 19, 1910; McPherson, *op. cit.*, p. 158.
[51] *Ibid.*, July 19, 21–22, 1910.

vidual settlements.[52] The union established a system of control over the settled shops.[53]

To break the deadlock A. Lincoln Filene of Boston induced Louis Brandeis, now Associate Justice of the United States Supreme Court and at the time already famous as a public spirited lawyer, to take a hand. Brandeis presented to the manufacturers' association a memorandum on behalf of the Joint Board, containing the grievances of the strikers with a request for a conference. The memorandum demanded a living wage, regulation of working hours, limitation of night work, elimination of work on holidays, abolition of charges for electricity and appliances, elimination of tenement house work, abolition of discrimination, provision for regular payment of wages in cash by manufacturers and contractors, abolition of "inside" contractors, and the establishment of a permanent board of arbitration.[54]

Difficulties, however, developed between the leaders of the union. The secretary of the International, John A. Dyche, had secretly promised the manufacturers that the reinstatement of every striking employee would be considered with the other issues. The strike committee refused to participate in the conference, if that were held to be an open question. Gompers was called to New York and succeeded in harmonizing the differences.[55]

On July 27, Meyer London, the attorney for the strikers, and Julius Henry Cohen, attorney for the Association, requested Louis Brandeis to act as chairman of a conference.[56] The conference proceeded to secure agreement on a number of issues, but reached a deadlock on the closed shop. In view of the large number of establishments in the industry, making effective enforcement of union standards exceedingly difficult, the union regarded the closed shop as absolutely indispensable. As a way out of the impasse, Brandeis suggested the preferential union shop, by which he meant that when a job was to be filled union members were to be given preference, provided they were equal in ability to the available non-union workers. The union representatives rejected the proposal. The Manufacturers' Association was willing to declare its sympathy for the union as an encouragement to the workers to join and retain membership, but the union stood on

[52] *Ibid.*, July 22, 1910.
[53] Levine, *op. cit.*, pp. 185–186.
[54] McPherson, *op. cit.*, pp. 160–161.
[55] Levine, *op. cit.*, p. 187.
[56] *New York Call*, July 29, 1910.

its closed shop demand.[57] Abraham Cahn, the editor of the influential Jewish daily, *Vowärts*, warned against sacrificing the closed shop.[58]

With peace negotiations broken, war was resumed. On August 7, the Association announced its readiness to resume operations with strikebreakers.[59] Its attorney, acting on behalf of one of the manufacturers, sought an injunction on the ground that the strike was a conspiracy in restraint of trade. Justice Irving Lehman issued an injunction restraining the strikers from committing violence and referred the other questions to Justice Goff.[60] Picketing continued unabated.[61]

On August 22, Louis Marshall, a well-known Jewish lawyer and philanthropist, intervened.[62] An agreement was reached on a number of demands but it failed to include the union shop and the eight-hour day. It was submitted to a vote of the membership, and overwhelmingly rejected.[63]

On the day of the rejection of the agreement, Justice Goff issued a sweeping injunction against the strikers. Declaring that any picketing, however peaceful, in pursuit of the closed shop rendered the strike a conspiracy, he virtually declared the strike illegal.[64] The strikers ignored the injunction. Eighty-five pickets were arrested for violating the orders of the court.[65]

On September 1 the General Strike Committee accepted a proposal of settlement. It was ratified at a meeting of shop chairmen. It was formally signed by both sides and became known as the Protocol from its official caption of Protocol of Peace.[66]

The agreement called for the installation of electric power in all shops by December 31, 1910; abolition of charges for electricity and materials; abolition of home work; cessation of work on 10 holidays; the six-day week with the option of Sunday work for the observers of the Jewish Sabbath; weekly pay in cash; piece workers to be paid as soon as work is inspected and approved;

[57] McPherson, *op. cit.*, pp. 177–178; Wyatt, *op. cit.*, pp. 711–712; *New York Call*, August 1, 2, 4, 1910.
[58] *New York Call*, July 30, 1910.
[59] *Ibid.*, August 8, 1910.
[60] *Ibid.*, August 7, 1910.
[61] *Ibid.*, August 10, 1910.
[62] *Ibid.*, August 23, 1910.
[63] *Ibid.*, August 27–28, 1910.
[64] *Ibid.*, August 28, 1910; Wyatt, *op. cit.*, p. 713.
[65] *Ibid.*, August 31, September 1, 1910.
[66] *Ibid.*, September 2, 3, 1910; Levine, *op. cit.*, p. 194.

piece rates to be fixed by the employer and a committee of three employees; the fifty-hour working week; no overtime between November 15 and January 15, or during June and July, except work upon samples; no overtime on Saturday, except for Sabbath observers after nightfall, and overtime to be limited to 2½ hours a day; the work day not to begin before 8 in the morning nor to last after 8:30 in the evening; double time for overtime.

The most important clauses in the agreement were the abolition of "inside" sub-contracting and the definition of the preferential union shop. The employer was given the right to hire a non-union man only if he failed to find a union man suitable for the job. In any event union standards of wages and working conditions were to prevail. Another innovation was a provision for a Joint Board of Sanitary Control to work as a non-governmental factory inspection department, the Board to be composed of two from each side and three to represent the public. A Board of Arbitration, made up of three members, one from each side, and the third to be selected by the attorneys of both groups, was created. The Board was to consider all grievances, and its decisions were to be final and binding. A Committee of Grievances of four, two from each side, was to consider and settle minor grievances.[67] Here at last was industrial government in an industry hitherto considered hopelessly anarchical.

The strike and its highly constructive outcome put the immigrant workers in the forefront of the American labor movement. Under the direction of the International Ladies' Garment Workers' Union about sixty thousand of these workers had demonstrated a capacity for self-discipline and organization unsuspected even by their warmest friends. The International Ladies' Garment Workers' Union deserves credit as the pioneer in this transformation of the Jewish and Italian wage earners into America's staunchest fighters for industrial government based on union recognition.

The Protocol of Peace was responsible for vast improvements in the industry, but it also introduced very serious problems, the solution of which were to tax the resourcefulness and ingenuity of the friends of unionism. The Protocol created a Board of Grievances to investigate and adjust complaints. A worker could file a complaint against his employer at the complaint clerk's window

[67] *New York Call*, September 3, 1910; *Survey*, Sumner, Mary B., "Settlement of the Cloakmakers' Strike," September 17, 1910, pp. 847–850.

in the office of the union. The Manufacturers' Association would be informed, and two deputies, one from each side, would investigate, examine witnesses, and arrive at a decision. In the event the deputies disagreed, the case was considered by the chief clerks. Failure to agree brought the case before the Board of Grievances. If that Board became deadlocked, the issue went to the Board of Arbitration, presided over by an impartial chairman.[68]

In April 1911, the Joint Board of Sanitary Control was permanently organized. Its budget of $7000 was met by equal contributions from the Protective Association and the union. It functioned like an efficient factory inspection department, with qualified inspectors appointed for the task. Standards of sanitation were enforced, either directly through the union or the manufacturers' association, or indirectly by invoking the proper government departments. The Joint Board carried on, in addition, educational campaigns through lectures, exhibits, and displays. It was presided over by Dr. George M. Price.[69]

The Protocol attempted to establish "government" and "due process of law" in an industry with an anarchical tradition. Moreover, the union, which, prior to the strike, had but a small faithful membership, now embraced many tens of thousands of workers wholly lacking in union experience and naturally impatient with the necessarily slow procedure of adjustment under the Protocol.[70]

Hence the Protocol was subjected to very severe trials from the first. The key person in the relations between the union and the employers was the Chief Clerk for the union. It was within his discretion to permit a loose interpretation of the Protocol, making for give and take and for friendly feeling, or to demand a strict interpretation and a hostile alignment in the Board of Grievances. In a way, the Chief Clerk for the union was in an impossible position. He was between an extremely articulate membership brought up on the doctrine of the class struggle and therefore eager to assert the union's power over the employer, and the need of maintaining friendly relations with the manufacturers. The Joint Board of the Cloak and Suit Makers' unions inclined to the rad-

[68] *United States Commission on Industrial Relations*, Vol. 2, pp. 1031–1032, 1071.

[69] *Five Years of Work and Progress of the Joint Board of Sanitary Control in the Cloak, Suit and Skirt, and the Dress and Waist Industries*, pamphlet, New York, 1915.

[70] *United States Commission on Industrial Relations*, Vol. 2, p. 1048; Levine, *op. cit.*, p. 242.

ical side; the International officers, who had underwritten the original Protocol, John A. Dyche and Abraham Rosenberg, and belonging to a school of unionism only mildly touched by socialist class consciousness, were most concerned with conserving the employers' willingness to continue under the Protocol arrangement.[71]

The first Chief Clerk for the union was Abraham Bisno, an old union war horse and socialist. The manufacturers disliked his aggressiveness and forced him out of that position. He was followed by John A. Dyche who combined the Chief Clerkship with the office of International Secretary-Treasurer. He, however, was forced out by the membership. In this contingency resort was had to Dr. Isaac Hourwich, a leading statistician and radical economist, who was appointed Chief Clerk against the advice of the International officers. He assumed office on January 11, 1913.[72]

Hourwich was of an aggressive temperament and greatly imbued with "workers' class consciousness." To him the Protocol was a mere temporary truce rather than a promise of durable peace.[73] As a result, he aroused the violent opposition of the manufacturers, who demanded his removal. The heads of the International willingly fell in with the employers' view and made ready to bring about his removal.[74]

But this was no easy undertaking, for Hourwich had the support of thousands of members, especially among the more radical ones. He, moreover, was not a man to practice non-resistance. He struck back at his accusers, and denounced the heads of the International as the "tools of the manufacturers." The contest reached a crisis in the latter part of 1913.

In November the Joint Board denied Hourwich a reappointment for another year. His following was, however, strong enough to force a referendum vote on the matter. The vote stood 6553 for Hourwich and 1948 against him.[75]

Hourwich's re-election brought the crisis to a head. The manufacturers' association refused to carry on business with Hourwich,

[71] Levine, *op. cit.*, pp. 250–251.

[72] Levine, *op. cit.*, pp. 250–254; *United States Commission on Industrial Relations*, Vol. 2, p. 1094.

[73] Testimony of Hourwich, *United States Commission on Industrial Relations*, Vol. 2, p. 1097.

[74] Levine, *op. cit.*, pp. 260–265.

[75] Levine, *op. cit.*, pp. 265–267; *United States Commission on Industrial Relations*, Vol. 2, p. 1087.

whom it charged with a deliberate fostering of dissension.[76] The International officers were no less hostile to Hourwich, but hesitated to withdraw their guarantee of the Protocol, fearing that the manufacturers' association might then break off relations with the Joint Board. They called a conference of trade union leaders, including Samuel Gompers, to find a way out. The conference called upon Hourwich to resign.[77] Emboldened by its support, the International, on December 30, 1913, informed the Joint Board that it would withdraw its guarantee of the Protocol, unless Hourwich was removed as Chief Clerk by January 15, 1914.[78] The likelihood of the Joint Board complying with the ultimatum was not great. To save the situation, the United States Commission on Industrial Relations was urged to hold public hearings on the Protocol. The hearings revealed the manufacturers' determination to force Hourwich out or abrogate the Protocol. Hourwich resigned as Chief Clerk on January 22, 1914. To placate the Hourwich partisans, whose chief argument had been that the Protocol impeded action, a Committee on Immediate Action replaced the Board of Grievances. That meant a substitution of arbitration for conciliation.[79]

Hourwich's elimination cost the heads of the International their re-election at the next convention as the price of their moderation and of their lack of sympathy with the impetuosity of the new membership. However, the incident was a victory for moderate unionism. It was really the policy of Gompers with its give and take methods that carried the day. It was also a demonstration to the growing group of social workers, with an increasing interest in the basic problems of industrial relations, that the type of industrial government favored by American unionism possessed constructive and progressive potentialities. To that extent, the Protocol was an influence on the opposite side from the contemporary spectacular activities of the Industrial Workers of the World in the textile industries—on the side of Gompers and of the American Federation of Labor.

[76] *Re Hourwich Affair*, a Statement of the General Executive Board of the International Ladies Garment Workers' Union, pamphlet, pp. 1–2; *United States Commission on Industrial Relations*, Vol. 2, p. 1085.

[77] *Re Hourwich Affair*, pp. 4–5; *United States Commission on Industrial Relations*, Vol. 2, p. 1088.

[78] *United States Commission on Industrial Relations*, Vol. 2, p. 1089; *Re Hourwich Affair*, p. 6.

[79] Levine, *op. cit.*, pp. 269–275.

While the International Ladies' Garment Workers' Union was making labor history, the United Garment Workers of America, the union in the men's clothing industry, continued in the state of relative suspense. It resulted, on the one hand, from the divergence between its American bred international leadership and immigrant membership, and on the other hand, from its meager successes in the industry.

In 1910 the clothing workers, in men's garments, in Chicago rose in revolt. The Chicago men's clothing industry was divided between the factory system, represented by Hart Schaffner and Marx, "inside" manufacturers, and the merchant-capitalist system personified in the Chicago Wholesale Clothiers' Association, operating through numerous contractor shops. The keen competition between the two systems of manufacturing resulted in an insupportable burden for the wage earners, in the shape of a constant pressure upon their already meager wages. As the Chicago clothing workers were mainly recent immigrants of many nationalities, without a common bond, their helplessness was extreme.[80]

On September 22, 1910, a foreman in one of the Hart Schaffner and Marx shops reduced the rate on seams from four cents to three and three-quarters. This act, quite ordinary in an industry long accustomed to "nibbling at wages," kindled the fires of rebellion, and ended with the union gaining a firm foothold in the trade. The management was asked to revoke the cut and refused on the ground that the foreman had merely corrected an earlier error. One thousand two hundred in several shops immediately struck.[81] The strike spread rapidly, and command of the situation was taken by the District Council of the United Garment Workers, which appealed to the national officers in New York for guidance and assistance.[82] President T. A. Rickert and other officers arrived in Chicago, but retained a skeptical attitude towards this uprising by unorganized immigrants. In the meantime the strikers' ranks swelled. A general strike was in the air. Late in October, the union presented the following demands: recognition of the union; wage increase; the abolition of payments for oil cans, bobbins, spools, etc.; time and a half for overtime for all week workers;

[80] *The Clothing Workers of Chicago*, pp. 17–19.
[81] *Weekly Bulletin of the Clothing Trade*, October 14, 1910.
[82] *Chicago Daily Socialist*, October 11, 1910; *The Clothing Workers of Chicago*, p. 27.

respectful treatment of workers by foremen and other executives; and a change in the system of wage payment.[83]

The employers refused to treat with the strikers' committee. At last the officers of the United Garment Workers recognized the state of mind of the Chicago clothing workers, and on October 26, called a general strike in all non-union shops in Chicago.[84] Forty-one thousand answered the call, completely paralyzing the industry.[85]

To keep so many under discipline and to supply them with the necessaries of life was a herculean task. The Women's Trade Union League came to the union's assistance. Prominent settlement workers also enlisted in the strikers' cause. The two groups helped strikers to gain favorable publicity, furnished speakers, and helped to raise funds.[86]

On November 5, President Rickert, still skeptical of the strikers' capacity to hold out, concluded an agreement with Hart Schaffner and Marx. All grievances were to be submitted to a board of arbitration of three, each side selecting one and those two the chairman. The strikers were to be re-employed without discrimination. However, it was expressly understood that the arrangement did not constitute recognition of the union. Evidently President Rickert felt that the immigrant strikers had not yet ripened to the point where they could deal with the employer as a group. The agreement was submitted to the strikers in a number of meetings, but was overwhelmingly defeated.[87]

As a result, the strikers lost confidence in the officers of the United Garment Workers of America, and appealed to the Chicago Federation of Labor to initiate a new strike committee, the Joint Strike Conference Board, extending representation also to the Women's Trade Union League.[88]

John Fitzpatrick, President of the Chicago Federation of Labor, helped organize a system of commissaries to supply food to the strikers and their families.[89]

[83] *Weekly Bulletin of Clothing Trade*, October 28, 1910.
[84] *Chicago Daily Socialist*, October 27, 1910.
[85] *Ibid.*, November 2, 1910.
[86] *Ibid.*, October 31, 1910; *The Clothing Workers of Chicago*, p. 29.
[87] United Garment Workers of America, *Proceedings of 17th Convention*, 1912, pp. 23–25; *Weekly Bulletin of Clothing Industry*, November 11, 1910.
[88] United Garment Workers of America, *Proceedings of 17th Convention*, 1912, pp. 25–26; *The Clothing Workers of Chicago*, pp. 33–34.
[89] United Garment Workers of America, *Proceedings of 17th Convention*, 1912, p. 26.

On November 29, 1910, Alderman Merriam introduced a resolution in the City Council for a committee to try to settle the strike. Merriam also condemned the conduct of the police on the picket line, and criticized the police administration for withdrawing the police from their regular duties to protect strikebreakers.[90] The Chicago Federation of Labor voiced a similar protest. It charged that the riots were fostered by the agents of the employers.[91]

Through the efforts of the aldermanic committee, representatives of the union and of Hart Schaffner and Marx met at the offices of the Mayor, and devised the "City Hall" agreement. It provided for the rehiring of all employees of Hart Schaffner and Marx out on strike, except those guilty of violence, and for a Board of Arbitration of five to pass on all issues and to act in all cases involving discrimination against employees for union affiliation. The Wholesale Clothiers' Association, representing the manufacturers operating through contractors, refused to open negotiations with the union. The agreement was indorsed by the Chicago Federation of Labor, the Women's Trade Union League, the national officers of the United Garment Workers, the Strikers' Executive Committee, and District Council No. 6 of the United Garment Workers.[92] This agreement, like the preceding one, negotiated by the United Garment Workers, was overwhelmingly rejected.[93]

On December 4, the first fatality of the strike occurred. A picket remonstrating with strikebreakers was shot and killed.[94] On December 15, another picket was killed and one wounded by private detectives.[95] Early in January, a private detective was killed by unknown persons while escorting strikebreakers from work.[96]

The condition of the strikers was becoming desperate. In January the Illinois Senate appointed a committee to investigate the strike and to seek a settlement. The committee requested the National Wholesale Tailors' Association, with which the Chicago Wholesale Clothiers' Association was affiliated, to submit a plan

[90] *Chicago Daily Socialist*, November 30, 1910.
[91] *Ibid.*, November 22, 1910.
[92] *Ibid.*, December 5, 1910; United Garment Workers of America, *Proceedings of 17th Convention*, 1912, p. 27.
[93] *Chicago Daily Socialist*, December 5, 6, 1910.
[94] *Ibid.*, December 5, 1910.
[95] *Ibid.*, December 16, 1910.
[96] *Ibid.*, January 5, 1911.

of settlement. The president declined, claiming that no strike existed in the Association shops. Evidence of the existence of a blacklisting system was submitted to the committee; and in its report to the Senate, the committee called attention to this illegal practice.[97]

On January 9, the firm of Sturm and Mayer concluded a settlement with the union.[98] Negotiations with Hart Schaffner and Marx were resumed, and on January 14, the following agreement was concluded between the union and Hart Schaffner and Marx: All former employees were to return to work within 10 days of the signing of the agreement; no discrimination against members of the United Garment Workers; an arbitration committee of three, to consider all existing grievances, their decisions to be final and binding; and to devise a method of handling future grievances.[99]

The agreement was accepted by the employees of the concern. On January 20, the union selected Clarence Darrow as its representative on the Arbitration Board, and Hart Schaffner and Marx selected its attorney, Max Meyer. The strike continued against the Wholesale Clothiers' Association, which persisted in refusing to deal with the union. On February 3, the strike was summarily ended by the heads of the United Garment Workers of America, without consultation with the local leaders and the co-operating labor groups, sending these workers back to work without any guarantees whatever. The strike lasted 133 days, and during the last 12 weeks, 40,000 workers were involved, $200,000 were expended in relief, 874 were arrested, and seven were killed.[100]

The limited recognition accorded the union by Hart Schaffner and Marx was of outstanding importance, for it marked the beginning of the most highly elaborated industrial government in America based on the equal participation of employer and union. The arbitrators selected by each side were unable to agree upon a third person, and decided to proceed with the testimony on grievances. They granted improved sanitary conditions; a lunch period of three-quarters of an hour; equal division of work so far as possible among all workers in slack season; the establishment of a

[97] *The Clothing Workers of Chicago*, pp. 41–42.

[98] *Chicago Daily Socialist*, January 10, 1911.

[99] *Ibid.*, January 16, 1911; United Garment Workers of America, *Proceedings of 17th Convention*, 1912, pp. 30–31; *The Clothing Workers of Chicago*, pp. 44, 50.

[100] *The Clothing Workers of Chicago*, pp. 45–46; United Garment Workers of America, *Proceedings of 17th Convention*, 1912, pp. 30–32; *Weekly Bulletin of the Clothing Trades*, February 17, 1911.

system of handling future grievances, and the right of an employee to appear either in person, or through a representative, before the body passing on grievances. In the event a grievance remained unadjusted, appeal lay to a member of the firm, and if still unadjusted, to the permanent Board of Arbitration composed of Darrow and Meyer. A uniform wage increase of 10 per cent was granted, and minimum rates were provided for piece workers. The 54-hour week, with time and half for overtime, was granted.[101]

The firm organized a labor complaint department with Professor Earl Dean Howard, of Northwestern University, in charge. In its first year, the complaint department was swamped with cases, as were the arbitrators. Lack of technical knowledge needed to adjudicate the many variegated disputes helped cause delay. Discontent was spreading and the whole structure was in danger of collapse. In March 1912, at a meeting between the firm and the union, the decision was reached to select a Committee of Five, two from each side, and a neutral to be selected by the four, to pass on rates and on all other disputes. Rules for the guidance of this committee were formulated. Appeals from its decisions lay to the Arbitration Board.[102]

This Committee recommended the appointment of a Trade Board of 11 members who had practical experience in the trade. Five were to be chosen by each side, and the eleventh member was to be chosen by the Committee of Five. All except the chairman were to be employees of Hart Schaffner and Marx. The Trade Board was to have original jurisdiction in all matters arising out of the contract. It was to appoint deputies for each branch of the trade, from both sides. One of the deputies was to act as Chief Deputy, and was to keep the records and arrange the calendar on behalf of his group. The deputies from each side were to investigate grievances and report their decisions to the Trade Board in agreed cases. The Trade Board acted as a first appeal court, but appeal had to be taken within three days. Further appeal lay to the Board of Arbitration within 30 days of the rendering of the decision by the Trade Board. The membership of the Trade Board was subsequently reduced to five.[103]

Under this arrangement the office of impartial chairman became

[101] *Weekly Bulletin of the Clothing Trades*, March 17, 24, 1911; *The Clothing Workers of Chicago*, pp. 49–51.
[102] *The Clothing Workers of Chicago*, pp. 51–55.
[103] *Ibid.*, pp. 55–58.

of great importance. Gradually the making of piece rates devolved upon the Trade Board, and two members of the Board were detailed for this purpose. Failure to reach an agreement, placed the matter before the entire Board. While the Trade Board handled ordinary disputes, the Board of Arbitration considered problems for which as yet no precedent existed. As a result both of these tribunals had a wide opportunity to develop a body of judge-made law to govern the industry.[104]

At the expiration of the original agreement in 1913, a demand for the closed shop was made. A break threatened but the crisis was overcome by the adoption of the principle of the preferential union shop. The 1913 agreement also increased wages, reduced working time, and limited the employer's right of discharge. The withdrawal of the workers from the United Garment Workers of America, and their affiliation with the newly formed Amalgamated Clothing Workers of America in 1914 did not affect the status of the agreement.[105]

In 1909 and 1910 the tailors of New York conducted several strikes.[106] Friction between the New York locals and the national officers of the United Garment Workers was steadily on the increase. The national officers were mainly concerned with promoting the union label among the shirt and overall makers. In 1911, a number of tailors' locals of New York and Baltimore called an extra-legal conference at Philadelphia which articulated the grievances against the national administration, and demanded that control over the appointment of organizers in the tailoring trade be vested in the tailors' locals.[107]

In the latter part of 1911, a wave of organization swept the New York tailors.[108] In December the question of a general strike was submitted to the membership,[109] and resulted in a vote of over 35,000 for and less than 3000 against the strike. The returns of the strike vote were flashed on a screen in front of the office of the *Vorwärts* to a gathering of 40,000.[110]

[104] *Ibid.*, pp. 58–61.
[105] *Ibid.*, pp. 61–67.
[106] United Garment Workers of America, *Proceedings of 16th Convention, 1910*, pp. 25–26.
[107] *The Clothing Workers of Chicago*, p. 76; United Garment Workers, *Proceedings of 17th Convention, 1912*, pp. 67–71.
[108] *Garment Worker*, January 5, 19, October 25, December 13, 20, 1912.
[109] *New York Call*, December 14, 1912.
[110] *Ibid.*, December 24, 1912; *Garment Worker*, December 27, 1912.

On December 30, 1912, the general strike was ordered. Seventy-five thousand responded the first day. The following demands were presented to the employers: abolition of sub-contracting and the use of foot power; no work to be performed in the tenement houses; overtime to be paid at the rate of time and a half, and double time for Sundays and holidays; a 48-hour week, and a general wage increase of 20 per cent.[111]

By the end of the first week the number on strike had reached 110,000. The New York Chamber of Commerce arranged a meeting of representatives of the United Garment Workers and of the New York Clothing Trades Association. The employers suggested that work be resumed on the following basis: the institution of a 56-hour week with no reduction in wages; a committee on sanitary conditions to enforce adequate sanitary standards; supervision of work performed in homes, to eliminate the evils of home work; and the obligation upon employers to maintain the same conditions in the shops of their contractors. The union rejected these conditions.[112]

Frequent clashes between pickets and strikebreakers led to the application for an injunction by the employers. The New York Supreme Court issued a severe order restraining the strikers from picketing. The injunction was completely disregarded. Following its issuance, 20,000 strikers marched through the garment district. Strikers and police clashed, and pickets were clubbed.[113]

During February a number of individual firms settled with the union.[114] On February 28, President T. A. Rickert, unmindful of his Chicago experience, again without consulting the local leaders, decided to accept the following offer as a basis of ending the strike: the workers were to return to work immediately; the question of the hours of labor was to be submitted to a commission consisting of Robert F. Cutting, Marcus M. Marks, and Dr. J. T. Magnes, whose recommendations were to be final and binding; the commission was to be instructed to be guided in its findings relative to the working week by the necessity to maintain the industry in New York on a competitive basis with other markets; a general increase in wages of $1.00 a week, and a proportionate increase for piece workers; no reduction of rates during slack

[111] *Garment Worker*, January 3, 1913; *New York Call*, December 31, 1912.
[112] *New York Call*, January 5, 1913; *Garment Worker*, October 16, 1905.
[113] *New York Call*, January 23, 1913.
[114] *Garment Worker*, February 21, 1913.

season; abolition of sub-contractors in contractor and "inside" shops; hours and conditions in contracting shops to be identical with "inside" shops; wages of cutters to be determined in each shop between the firm and its employees; and no discrimination against union men in rehiring.[115]

Rickert's arbitrary settlement of the strike set off an explosion. The strikers and their local leaders refused to abide by a settlement which they deemed harmful to their interests. The Executive Board of the Brotherhood of Tailors, the comprehensive organization of the New York tailors, denounced the settlement as a "treacherous settlement . . . a shame and an insult to the whole organized labor movement of America." The feeling of the strikers was clearly demonstrated in front of the offices of the *Vorwärts*, which at first indorsed the settlement. The management was booed by thousands of strikers, and the windows and doors were smashed by missiles thrown by these hostile demonstrators.[116]

On March 2, a conference of representatives of more than 300,000 workers of many trades met to discuss the situation in the men's garment trade. President Rickert's alleged treacherous conduct was bitterly assailed. Plans to continue the strike were formulated, and a committee was elected to try to effect a satisfactory settlement with the employers.[117] The continuance of the strike, against the orders of the officers of the national union, moved Mayor Gaynor, evidently under their inspiration, to order the suppression of all picketing.[118] The strike continued until March 12, and, though the strikers failed to gain most of their demands, they did receive terms more favorable than those negotiated by Rickert. One of the important gains was the selection of a workers' representative, Meyer London, in place of Robert F. Cutting, on the commission considering the hours of labor.[119]

The Chicago and New York strikes deepened the rift between the American leadership of the United Garment Workers and the overwhelming majority of the membership in the big urban garment centers. The local leaders who were of immigrant origin and also the rank and file clearly sensed in their national officers a skepticism as to their competence as unionists which bordered on the contemptuous. The eagerness with which the national

[115] *Ibid.*, February 28, 1913.
[116] *New York Call*, March 2, 1913.
[117] *Ibid.*, March 3, 6, 1913.
[118] *Ibid.*, March 9, 1913.
[119] *Ibid.*, March 12, 13, 1913.

officers in both strike situations rushed to make peace with the employers, with the prime purpose to take the membership off the streets as strikers and pickets, lent support to this widely believed assumption. Moreover, the tailors were now in the grip of a powerful urge to organize. Their great success in Chicago and the smaller success in New York, in each instance in spite of their national officers, powerfully stimulated the movement to be rid of these officers.[120]

The first move was an attempt to change the place of meeting of the forthcoming convention. The tailors' locals wanted the national meeting held at one of the important men's clothing centers, and thus assure themselves full representation as the expense would be within the reach of the poorest local. Nashville, Tennessee, had been designated earlier as the convention city. A referendum vote was required to make a change. Acting in accordance with the constitution, Local Union No. 2, of New York City, submitted a motion that the convention be transferred to Rochester, New York. The motion was seconded by the required number of locals, but the General Secretary ruled that the majority of the seconding locals were in arrears and therefore ineligible to second the motion. The question was carried to the General Executive Board, which upheld the General Secretary.[121] Another move to diminish the voting strength of the opposition was to send the General Auditor to examine the books of a number of locals, followed by the pronouncement that these locals owed the national office large sums in per capita dues. The protesting locals were informed that unless they met their bills promptly, their delegates would be denied seats at the convention.[122]

The tailor locals composed about 70 per cent of the total membership. The New York delegation in Nashville, clearly aware of the design to prevent the tailors' locals from exercising their due weight at the convention, distributed an appeal among the other delegates.[123] The action of the Credentials Committee confirmed the fears of the New York delegation. In its preliminary report

[120] *Documentary History of the Amalgamated Clothing Workers of America, 1914–1916*, p. 34.

[121] United Garment Workers of America, *Proceedings of 18th Convention*, 1914, p. 102.

[122] *Documentary History of the Amalgamated Clothing Workers of America, 1914–1916*, p. 29.

[123] *Ibid.*, pp. 5–6.

the Committee failed to include the bulk of the tailors' delegates. The following day numerous delegates were forced from the floor of the convention, and compelled to occupy seats in the gallery. Not all delegates in sympathy with the tailors were, however, denied seats. Led by Frank Rosenbloom, of Chicago, these seated delegates fought to override the decision of the Rickert Credentials Committee. Rickert, who presided, refused to put Rosenbloom's motion to a vote, or to permit a vote on appeal from the chair. Whereupon Rosenbloom, from the floor, put the motion of removing Rickert as presiding officer, and, counting the delegates who were seated in the gallery, declared the motion carried. The refusal of Rickert to recognize the procedure led to the withdrawal of the remaining tailors' delegates from the convention.[124]

The seceding seated delegates, joined by their fellows in the gallery, reconvened in another hall. There 145 delegates declared that the Rickert convention was controlled by usurpers, and that they were the regular convention of the United Garment Workers of America. After a two days' session, this convention elected national officers, among them Sidney Hillman and Joseph Schlossberg.[125]

Sidney Hillman was the youthful leader of the Hart Schaffner and Marx strikers in 1910. An immigrant to this country at the age of 20, he entered the garment industry, and through his unusual personal magnetism became the real leader of the Chicago clothing workers. A sincere believer in a workers' co-operative commonwealth as the goal of the labor movement, he yet is capable of a sympathetic appreciation of the problems of people whose horizon is completely bounded by the existing capitalist system, notably the employers. His unusual success with the employers in his industry is due in part to the lesser "will to power" of the Jewish employer as compared with the non-Jewish; in part to the contribution that he is willing to make to the solution of the employers' paramount problem of cut-throat competition; but also to his capacity to make the employer feel grateful, because, notwithstanding his high idealism, he is yet willing to lend a sympathetic ear to the employer's problem of keeping solvent and making a profit. More than any other leader of Jewish

[124] *Ibid.*, pp. 7–8, 25; *New York Call*, October 14, 1914.

[125] *New York Call*, October 16, 1914; *Documentary History of the Amalgamated Clothing Workers of America, 1914–1916*, pp. 13–18.

workmen, Hillman was able to harness the revolutionary tradition brought over from Russia in the cause of a self-controlled and constructive unionism, operating through a progressive enlargement of the worker's "property right in the job," under an agreement system. To prevent this program from suffering shipwreck at the hands of communists and "left wingers," to whom such an aim is contemptibly low, he was obliged from time to time to draw upon his remarkable ingenuity as a strategist and considerable gifts as a popular speaker. Hillman has in effect "rationalized" unionism just as he has greatly contributed to the "rationalization" of his industry. In the pursuit of his rationalized unionism he has arrived at a policy of "job conservation" through timely aid to employers in danger of bankruptcy. As a "rationalizer" of his industry he has been willing to take the initiative in scrapping all the time-hallowed union restrictions in order to reduce production costs and to stimulate demand for men's clothing. He has given to his followers, with the possible exception of sweatshop-dominated New York, a more than "American" wage and a status of "citizenship" in their industry equalled only in the union printing shops. However, notwithstanding his heartfelt solidarity with all labor, the number of the beneficiaries of his activities has tended to become more and more restricted, as witnessed by the cutting in half of the number of available men's clothing jobs in Chicago from 1920 to the present—largely as a result of the very "rationalization" and "scientific management" that he not only tolerated but actively promoted.

Immediately after the adjournment of the convention, the Hillman-Schlossberg group sought an injunction against the old officers, in the New York courts. It was denied. The Rickert group successfully countered by seeking an injunction to restrain the seceding group from using the label, name, or property of the United Garment Workers of America.[126]

Both groups elected delegates to the convention of the American Federation of Labor. The credentials committee of that convention recommended the exclusion of the Hillman-Schlossberg delegates. Benjamin Schlesinger, representing the International Ladies' Garment Workers' Union, sought to gain a hearing for them, but was unsuccessful. Another move by the International

[126] United Garment Workers of America, *Proceedings of 19th Convention*, 1918. p. 45.

Ladies' Garment Workers' delegation to secure the appointment of a committee to investigate the dissension in the United Garment Workers and to seek an adjustment, was defeated.[127]

A number of suits were initiated by each faction, but in December 1914, they decided to end all pending litigation. The Hillman-Schlossberg faction waived claim to all property of the United Garment Workers of America and to the use of that name; while Rickert agreed to forego all claims on the locals controlled by the opposition. The "new deal" in the men's clothing industry impelled the Journeymen Tailors, in the custom tailoring industry, to amalgamate with the new organization. The Journeymen Tailors had shortly before, without authorization from the American Federation of Labor, adopted the name of Tailors' Industrial Union. The preliminaries were agreed upon, and the Tailors' Industrial Union submitted the question of amalgamation to a referendum vote.[128] The Hillman-Schlossberg faction met in special convention on December 26, 1914, and formally constituted itself as an independent union under the name of the Amalgamated Clothing Workers of America.[129]

The début of the young organization was in conjunction with a lockout of 3000 tailors in Baltimore. After several weeks it gained a decided victory.[130] In New York City the employers, in alliance with the United Garment Workers, locked out the members of the new organization. However, after a short suspension, the employers were compelled to recognize the Amalgamated Clothing Workers of America, the union of the tailors.[131] Through these successes the new organization demonstrated its vigor and vitality. The refusal of the American Federation of Labor to recognize it as a regular union forced the Journeymen Tailors to relinquish the plan of amalgamation.[132]

In September 1915, the Amalgamated faced a real test, when it tried to extend union control to the entire Chicago men's clothing industry. The demands were: the 48-hour week; no work on legal holidays with no reduction in pay; overtime at the rate of time

[127] *Garment Worker*, November 13, 20, 1914; *New York Call*, November 14, 1914.
[128] *New York Call*, December 24, 1914.
[129] *Documentary History of Amalgamated Clothing Workers of America, 1914–1916*, pp. 44, 73.
[130] *New York Call*, November 21, 1914.
[131] *Documentary History of the Amalgamated Clothing Workers of America, 1914–1916*, p. 129.
[132] *Ibid.*, p. 130.

and a half; a 25 per cent increase in all wages; the closed shop; abolition of the system of fines and of arbitrary discharge; and a minimum wage, and suitable machinery of arbitration.[133] On September 27, the Amalgamated Clothing Workers of America ordered a general strike. Twenty-five thousand workers responded, and the union immediately announced its readiness to arbitrate.[134]

At the end of the first week, a number of independents signed contracts with the union. Public sympathy was on the strikers' side.[135] The city council appointed a committee to look into the charges of police brutality, and also to seek an adjustment.[136] The committee recommended the revocation of the employers' right to have special police and the withdrawal of the extra police protection given to the garment firms by the city.[137]

Efforts were made to put the strikers in a bad light on account of their secession from the American Federation of Labor. In a public statement, John Fitzpatrick and Edward Nockles, President and Secretary of the Chicago Federation of Labor, expressed their complete sympathy with the striking garment workers, and protested against the attempt to exploit the differences between the two garment unions for the benefit of the employers.[138]

During the first month of the strike, 876 were arrested by the police. To justify the police to the public Acting Chief of Police Schuetter stated that the strikers were responsible for at least 339 assaults and 449 threats. Sidney Hillman at once challenged the statement, asserting that many of those listed as having been assaulted by pickets, were in reality strikers attacked by the special police.[139] In November, a delegation of ministers, social workers, and university professors pleaded with Mayor Thompson to force the clothing manufacturers to agree to arbitration. The mayor bluntly refused to intervene.[140]

In the meantime a large number of individual settlements were made, which recognized the shop chairman. The strike was called off on December 12, 1915. The Amalgamated failed to

[133] *Ibid.*, p. 143.
[134] *Chicago Tribune*, September 28, 1915.
[135] *Ibid.*, October 3, 5, 1915.
[136] *Ibid.*, October 6, 1915.
[137] *Ibid.*, October 15, 1915.
[138] *Documentary History of the Amalgamated Clothing Workers of America, 1914–1916*, pp. 154–155.
[139] *Chicago Tribune*, October 31, 1915.
[140] *Ibid.*, November 19, 1915.

gain recognition, but secured a number of concessions, and above all, demonstrated its capacity for leadership.[141]

Thus a new area of industrial government based on union recognition was conquered. The pioneer was the International Ladies' Garment Workers' Union, although, subsequently, the successes of the Amalgamated and the vicissitudes of the International tended to exalt the latter over the former, even regarding the matter of historical priority. In truth, the Amalgamated has never committed the error of the German Republic, which, as one French publicist put it, had failed to advertise its achievements. The International Ladies' Garment Workers' Union never enjoyed an advantage similar to that of the Amalgamated, which could always be certain of holding a formidable fortress in the enormous Hart Schaffner and Marx establishment. A union of many variegated and heterogeneous trades, the International had the additional disadvantage of having the bulk of its organizable membership in New York City, where the ideological winds from across the ocean, so disruptive of the regular processes and purposes of unionism, invariably strike first. Both unions were equally the faithful legatees of the idealistic tradition of the labor movement of the New York East Side, and proved it on numerous occasions by giving unstintingly to other labor groups fighting for their rights. History has no right to ignore the rôle of the Yiddish socialist press, notably the daily *Vorwärts*, ably edited by Abraham Cahan. The *Vorwärts*, a profitable enterprise with a circulation of 100,000 or more, has always given generously to the trade unions, in moral encouragement as well as in material aid.

[141] *The Clothing Workers of Chicago*, p. 104; *Documentary History of the Amalgamated Clothing Workers of America, 1914–1916*, p. 157.

CHAPTER XXVI

DYNAMITE AND THE PUBLIC

What appeared to the outside world as a reckless dynamite conspiracy was a culmination of one of the bitterest wars in American labor history. On one side was the International Association of Bridge and Structural Iron Workers, and on the other, the Erectors' Association, dominated by the United States Steel Corporation.

The International Association of Bridge and Structural Iron Workers was formed in 1896 by unions in six cities which for the most part had been brought into existence by missionaries from the Chicago union.[1] The bridgemen were not a highly skilled group, but the work required strength and daring. Moreover the temporary nature of the jobs made considerable traveling necessary.[2]

In 1902, in the midst of the era of trade agreements, an agreement was reached with the American Bridge Company, the dominant concern in the field, and a subsidiary of the United States Steel Corporation.[3] The membership rose from 6000 to 10,000, and the offices of President and Secretary-Treasurer were made full-time salaried positions.[4]

In March 1903 the National Association of Manufacturers and Erectors of Structural Steel and Iron Work was formed to deal with labor problems. The largest fabricating and erecting concerns in the United States were members.[5] Simultaneously the union felt forced to call a general strike through the country against the American Bridge Company, which it charged with employing non-union men, sub-letting to non-union contractors, and other matters.[6] The National Civic Federation helped to

[1] *Bridgemen's Magazine*, August 1905, pp. 7–8.

[2] Grant, Luke, *The National Erectors Association and the International Association of Bridge and Structural Iron Workers*, pamphlet issued by United States Commission on Industrial Relations, 1915, pp. 7–8, 20.

[3] Grant, *op. cit.*, p. 21.

[4] *Bridgemen's Magazine*, October 1902, pp. 9–11.

[5] Grant, *op. cit.*, pp. 11–12.

[6] *Bridgemen's Magazine*, April 1903, pp. 5–7.

make a settlement. Soon thereafter the agreement was widened to include the entire employers' association.[7]

Another strike against the American Bridge Company occurred in August 1905 over sub-letting a railway bridge contract to a non-union employer.[8] The Company promised to discontinue the practice in the future, a promise which gained significance from the presence at a later conference of Judge Elbert Gary and W. P. Corey, of the United States Steel Corporation. The negotiations broke on the rock of the unwillingness of the Pittsburgh union membership to permit the erection of the McKeesport plant by non-union men, against the wishes of F. M. Ryan, recently elected national president. The Pittsburgh local invoked the decision of the last convention to hold out for a union job at McKeesport.[9]

In 1906 the National Association of Manufacturers of Structural Steel and Iron Work turned into a belligerent employers' association. The structural iron workers' union of New York had engaged in two minor strikes prohibited by the arrangement under the General Arbitration Board, and was expelled from the Board with the consent of most of the other building trade unions.[10] The employers' association, now renamed the National Erectors' Association, employed Walter Drew, an able and aggressive young attorney schooled in the methods of the Battle Creek, Michigan, Citizens' Alliance, to direct its anti-union activities. In its new constitution it proclaimed that, "the object of this Association shall be the institution and maintenance of the open shop principle in the employment of labor in the erection of steel and iron bridges and other structural steel and iron work." [11] All relations with the union were broken off.[12]

It now became a pitiless duel between the union and the National Erectors' Association, supported by the full strength of the anti-union steel companies. Both the American Bridge Company and the National Erectors' Association, of which it was the dominant member, employed spies in the union.[13] The union was faced by a stone wall. In its despair it turned to terrorism and the dynamiting

[7] *Ibid.*, May 1903, pp. 4, 8–9.
[8] *Ibid.*, September 1905, pp. 6–8.
[9] Grant, *op. cit.*, pp. 40–45, 48; *Bridgemen's Magazine*, October 1906, pp. 50–51.
[10] See Chapter VIII.
[11] Grant, *op. cit.*, pp. 13, 59–62; *Bridgemen's Magazine*, May 1906, p. 12.
[12] *Bridgemen's Magazine*, November 1906, p. 6.
[13] Grant, *op. cit.*, p. 100.

of non-union erecting jobs. From June 1907 until April 1911 the union was responsible for numerous explosions on jobs of members of the National Erectors' Association and on independent jobs.[14]

The outside world failed to connect the International Association of the Bridge and Structural Iron Workers with this campaign of terrorism. All the greater was the sensation resulting from the dynamiting of the *Los Angeles Times* building on October 1, 1910. Los Angeles was at the time the battlefield of several simultaneous labor wars. The Merchants and Manufacturers' Association of Los Angeles, formed in 1894 and led since 1897 by F. J. Zeehandelaar, gave unity to the employers' side and derived its inspiration from General Harrison Gray Otis of the *Los Angeles Times*. Since 1890 this newspaper had been a consistent and fervent opponent of unionism.[15] Early in June of 1910 the metal trades and the Merchants and Manufacturers' Association became locked in battle over the open shop.[16] It was followed by a strike of structural iron workers.[17] The strikers encountered from the beginning determined opposition from the city authorities. Strikers' meetings were censored and picketing rendered difficult.[18]

The explosion in the morning of October 1, 1910, which wrecked the building of the *Los Angeles Times*, killing 20 and injuring 17, came as a climax in these hard fought battles.[19] Unexploded bombs were found close to the homes of General Otis and F. J. Zeehandelaar.[20] Large rewards were offered by the county and city governments and by individuals and organizations for information leading to the arrest and conviction of the culprits.[21] The authorities put the well-known detective, William J. Burns, in charge of the investigation, while the Los Angeles Chamber of Commerce and the Merchants and Manufacturers' Association employed investigators of their own.[22] An intensive nation-wide hunt was begun, and for weeks as many as a thousand men were employed on the case. Three groups of detectives, one under Burns, another

[14] Grant, *op. cit.*, p. 123; McManigal, Ortie, *The National Dynamite Plot*, pamphlet, Neal Company, Los Angeles, pp. 24–28.

[15] *The Forty-Year War for a Free City*, Supplement to the *Los Angeles Times*, October 1, 1929; United States Commission on Industrial Relations, Vol. 6, p. 5493.

[16] *Los Angeles Herald*, June 1 and 5, 1910.

[17] *Ibid.*, June 10, 1910.

[18] *Ibid.*, June 18, 21, 24, and September 2, 1910.

[19] *Ibid.*, October 2, 1910.

[20] *Ibid.*, October 1, 2, 1910.

[21] *Ibid.*, October 4, 1910.

[22] *Ibid.*, October 5 and 6, 1910.

under the chief of the county detectives, and a third from the Pinkerton agency were employed to trace the guilty. Evidence was investigated by two groups acting independently.[23] The actual dynamiters were quickly discovered and trailed for weeks. The suspects were unaware that a good part of the time they were either in company with or shadowed by detectives. One of the shadowed dynamiters made a hurried trip to Los Angeles and dynamited the Llewellyn Iron Works on December 24, 1910.[24]

On April 12, 1911, Ortie McManigal and J. B. McNamara, the brother of J. J. McNamara, Secretary-Treasurer of the International Association of Bridge and Structural Iron Workers, were arrested in Detroit for the dynamiting of the *Times* building. A large quantity of dynamite, percussion caps, and alarm clocks were found in their valises. However, the connection between their arrest and the Los Angeles explosion became public only on April 22 when John J. McNamara was arrested in the union headquarters in Indianapolis while meeting with the Executive Board of the union.[25] To effect an unobstructed transfer to Los Angeles, Burns resorted to a procedure bordering upon kidnaping. While the members of his Executive Board were held prisoners and prevented from communicating with counsel, J. J. McNamara was taken before a justice of the peace who, though he lacked jurisdiction, ordered his extradition.[26] Now it was safe for the authorities to announce that Ortie McManigal, one of the chief dynamiters for the International Association of Bridge and Structural Iron Workers, had confessed and implicated the officials of the union and named his aids in the Los Angeles explosion.[27]

The labor movement was aroused. The virtual kidnaping of an international officer of a union affiliated with the American Federation of Labor could not go unchallenged. The Moyer-Haywood-Pettibone kidnaping had not yet been forgotten in the labor movement. The international officers of unions with headquarters at Indianapolis took the first step toward organizing a defense.[28] On May 6, 1911, the Executive Council of the American Federation

[23] Woehlke, Walter V., "The End of the Dynamite Case—Guilty," *The Outlook*, December 16, 1911, p. 905.

[24] *Los Angeles Herald*, December 25, 1910; Burns, William J., "How Burns Caught the Dynamiters," *McClure's Magazine*, January 1912, p. 328.

[25] Burns, *op. cit.*, p. 328; *Los Angeles Herald*, April 23, 1911.

[26] American Federation of Labor, *Proceedings*, 1911, p. 43.

[27] *Los Angeles Herald*, April 26, 1911.

[28] *Bridgemen's Magazine*, May 1911, p. 275.

of Labor broadcast an appeal to the labor movement and its friends in behalf of the McNamaras.[29]

Organized labor scarcely needed any proof of the innocence of the accused. The questionable method of procuring McNamara's extradition spoke volumes to the unionists of the country. As the structural iron workers had for years been locked in a deadly struggle with the United States Steel Corporation and its ally, the National Erectors' Association, labor had the will to believe that the case against the iron workers' leaders was a conspiracy to crush one more union. On May 10, the officers of the eight international unions with headquarters in Indianapolis met with Gompers, and issued a ringing protest against the illegal arrest and extradition of John J. McNamara.[30] On June 1, the Executive Council of the American Federation of Labor, meeting with representatives of the Metal Trades, Building Trades, and Union Label Trades departments, called upon all organizations of the American Federation of Labor to contribute 25 cents per member for the defense. A permanent McNamara Ways and Means Committee, including President Gompers and Secretary Morrison, was created.[31] On June 29, a number of international officers met in Indianapolis to emphasize the unanimity of the labor movement.[32] Clarence Darrow was the chief attorney for the defense.

The prosecution selected J. B. McNamara to be tried first, for the murder of one of the *Los Angeles Times* victims. The trial opened in Superior Court on October 11, 1911. To agree upon eight jurors a panel of 600 was exhausted.[33] As the selection of the jury was proceeding by slow stages, Darrow became more and more doubtful of the possibilities of success. He saw himself surrounded by an army of spies, and his plans currently revealed to the prosecution. To save the lives of his clients, he allowed Lincoln Steffens to attempt a settlement. Influential politicians and business men were drawn into the negotiations, and finally an arrangement was made. The McNamara Ways and Means Committee of the American Federation of Labor was hurriedly invited to send a special representative. The McNamara brothers were unwilling to plead guilty as the price of the settlement. After

[29] *American Federationist*, June 1911, p. 452.
[30] *Ibid.*, June 1911, p. 439.
[31] *Ibid.*, July 1911, pp. 535–537.
[32] *Ibid.*, August 1911, pp. 610–611.
[33] *The War for a Free City*, p. 15; *Los Angeles Herald*, November 30, 1911.

many hours of pleading by Darrow and others, the stubbornness of J. B. McNamara was overcome by invoking his fear of being the cause of the probable hanging of his brother John J. McNamara. The agreement with the prosecution stipulated that both brothers would plead guilty, and that J. B. McNamara would receive life imprisonment but John J. McNamara a less severe sentence, and that all other prosecutions would be dropped.[34] On November 27, the chief investigator for the defense was arrested on the charge of attempted bribery of a juror. He was later allowed to plead guilty and fined $4000.[35]

On December 1, 1911, the McNamara brothers were brought into court. Their attorneys asked leave to change their pleas to guilty.[36] The shock to the labor movement and its friends was truly terrifying. Labor had almost to a man believed in the innocence of the McNamaras. The American Federation of Labor and its affiliated bodies had managed and directed the campaign in their behalf. The labor movement had so identified itself with the cause of the McNamaras that now that they had confessed their guilt, the labor movement was, in the public mind, guilty alongside of them. The Indianapolis union group came out with a denunciation of crime and violence no matter by whom committed, but denounced the *Los Angeles Times* and anti-union associations as equally guilty.[37] The McNamara Ways and Means Committee in a public statement also deplored violence. Yet it had nothing to retract concerning its activity in behalf of the accused, which it held justified by the belief in their innocence, and by the irregular extradition of John J. McNamara. Moreover, it reminded the public of the implacable war waged upon labor by the steel trust for a decade.[38] The Executive Council of the American Federation of Labor, while deploring violence, came back in its statement to the kidnaping of J. J. McNamara.[39]

The two defendants were brought to court for sentence on December 15, 1911, and after a scathing denunciation by the trial

[34] Speech of Anthon Johannsen, prominently identified with the defense, printed in *Bridgemen's Magazine*, November 1912, pp. 727–731; Steffens, Lincoln, *Autobiography*, Harcourt, New York, 1931, pp. 659–689; Darrow, Clarence, *My Life*, Scribner's, New York, 1932, pp. 177–178.

[35] *Los Angeles Herald*, November 28, 1911, March 2, 1912.

[36] *Ibid.*, December 2, 1911.

[37] *Bridgemen's Magazine*, January 1912, pp. 4–5.

[38] *American Federationist*, January 1912, pp. 18–23.

[39] American Federation of Labor, *Proceedings*, 1912, pp. 142–145.

judge, J. B. McNamara was sentenced to life imprisonment, and his brother to 15 years.[40]

The aftermath of the dynamiting case was the indictment in January 1912 of Clarence Darrow for jury bribery. The trial lasted three months ending in his acquittal on the first ballot.[41] He was again tried on another charge of jury bribing, and this time the jury disagreed.

The officers of the International Association of Bridge and Structural Iron Workers squared their accounts with justice in the Federal court at Indianapolis. Fifty-four were indicted, including all the active members and former members of the Executive Board since 1906, on the charge of conspiracy to transport dynamite and explosives.[42] Forty were tried, and on December 28, 1912, the jury found 38 of the defendants guilty, among them, Frank Ryan, the International President of the union.[43] The sentences ranged from one year and a day to seven years for Ryan.[44]

The conviction of practically all the officers of the International necessitated a special convention. President Gompers, James O'Connell, President of the Metal Trades Department, Daniel Tobin, President of the Teamsters' International Union, and John P. White, President of the United Mine Workers, addressed words of encouragement to the delegates. The presiding officer at the convention had just been convicted and given the heaviest sentence, but Gompers refrained from moralizing and instead urged the delegates to learn by past mistakes and to go forward. "I am not your accuser. I am the accuser of no man I am not a detective and I am not a prosecuting officer," were his words.[45] The convention re-elected Ryan President.[46]

In a popular history of America's labor struggles the view has been expressed that the McNamara confession put an end to the militancy of the American Federation of Labor.[47] If by militancy is meant a defense by labor of its claimed rights by force of arms, the author has evidently overlooked the significance of the West Virginia and Colorado coal strikes of 1912 and 1913.

[40] *Los Angeles Herald*, December 5, 1911.
[41] *Ibid.*, May 15, August 17, 1912.
[42] *Bridgemen's Magazine*, March 1912, pp. 165–167.
[43] *Chicago Record-Herald*, December 29, 1912.
[44] *Bridgemen's Magazine*, January 1913, pp. 15–16.
[45] *Ibid.*, March 1913, pp. 148–160.
[46] *Ibid.*, p. 382.
[47] Adamic, Louis, *Dynamite*, Viking Press, New York, 1931, pp. 249–252.

More people were killed in these two struggles than in all the dynamiting activities by the iron workers. The embattled miners fought the deputy sheriffs and the state militia, unmoved by the fear of being outlawed by the public. Again the author misunderstood the rôle of the Executive Council of the American Federation of Labor in the labor movement. Neither the Council nor President Gompers ever had the power to prescribe the methods of struggle employed by the self-governing international trade unions, no more than they had authority over the treasuries or working rules of these unions. Violence is essentially a result of many factors arising in specific situations. If the McNamara confession made Gompers tremble before public opinion, he showed it in an unusual manner when he came to Indianapolis to give comfort to the iron workers' convention, presided over by one soon to begin serving a sentence of seven years in a Federal penitentiary.

The McNamara case injured organized labor with the public but not irreparably. The next few years were to witness the Federation's most telling successes in Congress, and the disclosures of the Colorado atrocities in the widely reported hearings before the United States Commission on Industrial Relations [48] helped to efface from the public mind the memories of the Los Angeles outrage. The total membership of the American Federation of Labor took a spurt between 1911 and 1913.[49] Above all, the Iron Workers' membership grew from 10,928 in 1911–12 to 13,189 in 1913–14.[50] If the McNamara case was a "turning point" in American labor history, the immediate facts failed to show it.

[48] See Chapter XVI. [49] See Chapter XXV. [50] Grant, *op. cit.*, p. 126.

CHAPTER XXVII

THE TROUBLED COAL FRONTIERS

The stability of the industrial government established in the bituminous coal mining industry after the strike of 1897 was constantly menaced by the failure of the United Mine Workers to unionize West Virginia. Just as the possession of Antwerp by a strong power was characterized as a pistol pointed at the heart of England, so a non-union or rather an anti-union West Virginia was a gun pointed at the heart of the industrial government in the bituminous coal industry.

West Virginia was the area of the most rapid growth in bituminous coal mining. Its coal is found in unusually thick veins allowing the operator to get from six to ten feet of the finest quality of bituminous coal, in contrast to the five feet in the Ohio and Pennsylvania districts. Mining is also easier as the hilly topography makes possible entry from the hillside, in the place of the shafts necessary over most of the central competitive field.[1]

The proximity of West Virginia to the Great Lakes coal markets, accentuated by a favorable railway rate structure, increased her threat to the organized fields. The leaders of the United Mine Workers early recognized this danger. The union made repeated attempts to spread to West Virginia. The operators, realizing that unionization meant not only parting with their absolute power as employers but also submission, under the Interstate agreement, to having their natural competitive advantages pared off in favor of the older fields, resisted with all available weapons. A barrier to unionism was erected in what amounted to permanent martial law administered nominally by the State but in effect by the operators.

The union's effort began as early as 1885, when the state coal industry was in its infancy. Some progress was made, but the West Virginia operators refused to join the first Interstate Conference in 1886. In 1891 a strike was called by local leaders, but

[1] *Report of the West Virginia Mining Investigation*, Report No. 521, 63d Congress, 2d Session, p. 23.

the national officers certain of its failure ordered the men back to work. The employers discharged the leaders and broke up the organization.[2] During the general strikes of 1894 and 1897 the operators raised wages, and in some cases offered a bonus for staying on the job.[3] The union was blocked in gaining entry to West Virginia.

This success in repelling union invasions attracted operators from without to buy or develop mines in West Virginia. Operators obliged to run union mines elsewhere found that ownership of mines in that haven of open shop mining strengthened their grip on the market, in addition to giving them a weapon over the union through the shifting of operations from their union mines.[4] In 1898 West Virginia operators refused to attend the conference of the central competitive field. They were unwilling to forego their advantage of lower wages and the ten-hour day.[5]

Consequently a special effort to organize West Virginia began in 1901, resulting in 80 locals with approximately 5000 members. President Mitchell appealed to the convention of 1902 for funds to maintain union miners discharged in West Virginia.[6] The convention elected a special committee to plan a program for West Virginia. This committee urged an aggressive policy by the national union in close co-operation with the district organizations. The National Executive Board was empowered in case of a strike to close down all the union mines of a company operating in non-union territory.[7]

Early in 1902 a state miners' convention was held at Huntington, West Virginia. A scale was drafted, and the district officers were empowered to call a strike at an opportune time. The national union sent in a number of organizers to aid in the organization campaign.[8] The campaign was not an easy one. The West Virginia miners were drawn from the individualistic and poverty stricken mountain whites, with an admixture of Southern Negroes.[9] The local officers of the law made the operators' cause their own.

[2] Suffern, *op. cit.*, pp. 66–67.
[3] *Ibid.*, p. 67.
[4] Testimony of John Mitchell in *Report of Industrial Commission*, Vol. 12, p. 38.
[5] Suffern, *op. cit.*, pp. 63–64; *Report of Industrial Commission*, Vol. XII, pp. 74–76.
[6] United Mine Workers of America, *Minutes of 13th Annual Convention*, 1902, p. 41.
[7] *Ibid.*, p. 144.
[8] *Ibid.*, p. 38.
[9] Suffern, *op. cit.*, p. 72.

In May 1902 a conference of national and district officials ordered a strike on June 7.[10]

On June 7 more than 16,000 came out in the Kanawha, New River, and Norfolk and Western districts.[11] Immediately the injunction was brought into play. On June 11, seven strike organizers were arrested for violating an injunction of the circuit court. Injunctions were also served on "Mother" Jones, Thomas Haggerty and ten other national organizers, and 150 miners marching from mine to mine to close them down.[12] On June 16, 100 well-armed strikers left for the Pocohontas field to stop the evictions of strikers by deputy sheriffs.[13] They succeeded in shutting down a number of mines.[14]

Late in June the coal companies appealed to the Federal courts. On June 20 Judge Keller of the Southern district of West Virginia issued an injunction covering every mine on the Norfolk and Western Railroad and a week later added six collieries in Fayette county, in the New River district.[15] The State courts granted more injunctions.[16] On July 24 Thomas Haggerty, a member of the International Executive Board, was sentenced to ninety days in jail and five other strike leaders to sixty days. Sentences upon "Mother" Jones and several others were deferred.[17] Four days later Judge Keller issued warrants for the arrest of fifteen strike organizers for violating an injunction that had been secured by the coal companies of Flat River. He also enjoined "Mother" Jones, Chris Evans, William B. Wilson, and the members of the International Executive Board from leading the strike against the Ganley Mountain Coal Company.[18] Another judge enjoined strikers from entering into the company town of Ansted.[19] After several weeks the strike along the Norfolk and Western Railroad and in the Fairmount district collapsed, but New River and Kanawha continued on strike.[20] On August 28, eight companies of National Guardsmen were sent to the New River district.[21] In September a Federal injunction was issued against all organizers

[10] United Mine Workers of America, *Minutes of 19th Annual Convention*, 1903, p. 38.

[11] West Virginia, *21st Annual Report of the Commissioner of Labor, Coal Mines*, 1904, p. 5.

[12] *New York Tribune*, June 12, 1902.

[13] *Ibid.*, June 17, 1902.

[14] *Ibid.*, June 19, 1902.

[15] *Daily People*, July 7, 1902.

[16] *New York Tribune*, June 25, 1902.

[17] *Ibid.*, July 25 and 26, 1902.

[18] *Ibid.*, July 29, 1902.

[19] *Ibid.*, July 30, 1902.

[20] *Ibid.*, August 28, 1902.

[21] *Ibid.*, August 29, 1902.

operating in West Virginia. Many were imprisoned for violating this order.[22]

Early in October the union won an agreement with the Kanawha Valley coal operators covering about seven thousand men. The agreement conceded a nine-hour day, permitted the election of checkweighmen, granted a semi-monthly pay day, the right to trade at non-company stores, no discrimination in rehiring the strikers or for union affiliation, and a reduction in the price of powder.[23]

The New River strike continued. In May 1903 many returned to work, and in July it was called off.[24]

The union failed to organize West Virginia. Eviction of strikers from their homes, armed guards, and the determined use of strike-breakers, combined with the eagerness of the courts to come to the employers' aid, accounted for the defeat.[25]

In 1904 the issue of the "check-off" led to a strike in the Cabin Creek district of the Kanawha Valley. The union insisted that the companies had undertaken to "check-off," or to collect union dues and assessments, on behalf of the union from all men employed instead of only from union members. The strike was lost, and with it went the control of the Cabin Creek section.[26]

The United Mine Workers, these failures notwithstanding, never altered its determination to organize West Virginia.[27] As the coal producing area of the State expanded and its tonnage increased, the need became more and more imperative. In 1880 West Virginia produced about 1,829,844 short tons of bituminous coal, or about 2 per cent of the total bituminous production. In 1900 the coal output of the State rose to 22,642,202 short tons or 8.4 per cent of the national output, and in 1912 to 12½ per cent of the national total or to 66,786,000 tons. The numbers employed in 1912 reached nearly 70,000.[28] John Mitchell, in 1908, warned the

[22] United Mine Workers of America, *Minutes of 14th Annual Convention*, 1903, p. 42.

[23] *Ibid.*, p. 53.

[24] West Virginia, *21st Annual Report of the Commissioner of Labor, Coal Mines*, 1904, p. 5.

[25] United Mine Workers of America, *Minutes of the 14th Annual Convention*, 1903, p. 38; *United Mine Workers' Journal*, August 22, 1912, p. 1.

[26] West Virginia, *23d Annual Report of the Commissioner of Labor, Coal Mines*, 1905, p. 8; Lynch, Lawrence R., "The West Virginia Coal Strike," *Political Science Quarterly*, December 1914, p. 630.

[27] Hinrichs, A. F., *The United Mine Workers and the Non-Union Coal Fields*, Columbia University Press, 1923, p. 119.

[28] United States Bureau of Mines, Department of the Interior, *Mineral Resources of the United States for the Calendar Year 1912*, 1913, Vol. II, pp. 36, 233.

convention in the following words: "You cannot be permanently safe, you cannot rest in security until West Virginia, the Irwin field, the Connellsville and Meyerdale regions of Pennsylvania are organized." [29] Four years later Vice-President Hays likewise warned the delegates that "a chain is no stronger than its weakest link," and that the future of the union depended upon its ability to organize the 150,000 miners of West Virginia, Virginia, Kentucky, Tennessee, and Alabama.[30] Neither did the West Virginia employers lack awareness that theirs was the union's most critical fighting front. They introduced a guard system which made union organizing an extremely risky occupation. Strangers entering the coal fields were carefully watched. Miners suspected of union sympathies were ruthlessly handled.[31]

The Cabin Creek district of West Virginia, unionized in 1902 and the only union area in the state after 1904, was about to renew its contract expiring April 1, 1912. The miners wanted a wage increase, but agreed to remain at work pending settlement. The operators agreed that they would grant one-half of the increase to be granted in the Central Competitive Field at a forthcoming meeting in Cleveland.[32] However, after the Cleveland agreement had been made, the operators, changing their mind, insisted upon the rate of pay in the unorganized West Virginia fields. A strike began on April 20 for a wage increase and a more complete recognition of the union.[33]

The operators imported a number of guards from the Baldwin-Felts agency, and began evicting the strikers from the company houses.[34] The union organized a tent colony in Holy Grove.[35] On June 5, Baldwin-Felts guards made a surprise attack upon a group of striking miners, killing one miner and leading to the indictment of nine of the guards for first degree murder. They were allowed their freedom on bail.[36] A second clash on July 9 caused the sheriff to ask for troops.[37] On July 26 the miners and

[29] Quoted by Hinrichs, *op. cit.*, p. 119.
[30] United Mine Workers of America, *Proceedings of 23d Annual Convention*, 1912, p. 75.
[31] West, Harold, "Civil War in the West Virginia Coal Mines," *Survey*, April 5, 1913, p. 43.
[32] *United Mine Workers' Journal*, June 27, 1912, p. 7.
[33] *Ibid.*, April 26, 1912, p. 6.
[34] *Ibid.*, December 26, 1912, p. 1.
[35] Lynch, *op. cit.*, p. 634.
[36] *United Mine Workers' Journal*, December 26, 1912, p. 2.
[37] *New York Call*, July 10, 1912.

Baldwin-Felts guards engaged in a pitched battle at Mucklow. The miners were in squad formation under the command of leaders. Under the cover of darkness, the miners, having previously cut the telegraph and telephone wires, descended from all sides upon the guards' quarters. The guards were saved from certain annihilation by the arrival of one of the leading Baldwin-Felts men, "King" Gaupot, with a company of guards. Twelve men, mostly guards, were killed in the engagement. Three companies of National Guardsmen were hurried to the district by Governor Glasscock and martial law was declared.[38] Wholesale arrests of miners began. Twenty-two men were forced to live in a box car used as a temporary prison.[39] Subsequently martial law was lifted and the militia withdrawn.

On August 6 the union began a campaign to regain Cabin Creek, lost after a short possession in 1904. "Mother" Jones addressed a mass meeting, and a large number joined the union. Their discharge followed, leading to the tying up of the district by a strike.[40]

On August 8, 3000 petitioned Governor Glasscock to oust the guards from the Kanawha Valley.[41] At the end of August the Governor appointed a committee to discover a basis of settlement.[42] On September 3, violence having increased, martial law was again declared in both the Paint and Cabin Creek districts. A military court was instituted and National Guard officers began to try prisoners. First to be tried was a Baldwin-Felts guard, charged with carrying concealed weapons. He was found guilty and sentenced to serve one year in the penitentiary.[43]

Early in September Governor Glasscock, without waiting for the report of his commission, offered terms of arbitration to both parties. The miners accepted, but the operators refused.[44] The military court tried 37 strikers and sentenced 32 to 60 days each in jail for intimidating "workmen who are employed in the struck mines." The sentences were approved by the Governor.[45]

[38] Michelson, B., "Sweet Land of Liberty," *Everybody's Magazine*, May 1913, pp. 624–626; *New York Call*, July 27, 1912.
[39] *New York Call*, July 28, 1912.
[40] *United Mine Workers' Journal*, December 26, 1912, p. 2.
[41] *Ibid.*, August 22, 1912, p. 1; *New York Call*, August 25, 1912.
[42] Lynch, *op. cit.*, p. 636.
[43] *New York Call*, September 4, 1912; *United Mine Workers' Journal*, September 1, 1912, p. 1.
[44] *United Mine Workers' Journal*, September 19, 1912, p. 1.
[45] *New York Call*, September 13, 1912; *ibid.*, September 19, 1912.

The operators justified their adamant stand on the ground that the United Mine Workers was seeking to organize the West Virginia coal industry, not so much for the benefit of the miners of West Virginia as for the benefit of the operators in Ohio, Indiana, Illinois, and Western Pennsylvania, who complained of West Virginia's competition. The operators had a good case so far as the West Virginia public was concerned. But the union was in reality fighting not to injure the West Virginia coal industry, but to save from destruction the industrial government and decent working conditions in the rest of the Central Competitive Field. President White, in his reply to the charge of the West Virginia operators, took that ground firmly.[46]

In September the courts upheld the right of the military to arrest and imprison violators of military rule. A writ of *habeas corpus* was denied to a Baldwin-Felts guard, who had been convicted by a military commission.[47] Meanwhile the coal companies were evicting miners from their homes, under the protection of the National Guard; and the military commission was active in sentencing strikers to prison for violating military rule.[48] In the middle of October martial law was again withdrawn, and the authority of the civil officials restored.[49]

Late in November the Governor's commission made its report public. It held both sides responsible. The commission discovered that the union was bent on organizing a chain of mines along Paint and Cabin Creek as an opening wedge for organizing the entire State, an intent never denied by the union. It also charged the miners with brutal agressiveness towards non-union men. On the other side, the commission condemned the mine guard system, improper docking, overcharging at company stores, and the denial of the right to elect checkweighmen. So far as wages and living conditions were concerned, the commission was of the opinion that the West Virginia miner was as well off as miners in the union fields.[50]

The companies tried to resume operations and imported men from the large cities. A number of men imported from New York

[46] *United Mine Workers' Journal*, September 26, 1912, p. 2.
[47] *New York Call*, September 24, 1912.
[48] *United Mine Workers' Journal*, October 10, 1912, p. 1.
[49] Lynch, *op. cit.*, p. 637.
[50] "Report of West Virginia Mine Investigation," in *Regular Biennial Message of Governor Glasscock to the Legislature of 1913*, Charleston, 1913, pp. 58–63.

City escaped to Huntington and claimed to have been held virtual prisoners in the coal camps.[51]

During January Governor Glasscock pardoned thirteen prisoners convicted and imprisoned by the military court.[52] The Union had removed 900 strikers' families from the strike area; 600 remained in tent colonies.[53]

On February 7, a specially chartered Chesapeake and Ohio railway train, carrying a number of machine guns, headed towards the tent colony at Holy Grove. The lights of the train were dimmed as it crept slowly towards the tented city. The train stopped opposite the first line of tents. Many volleys of shots were poured into the ragged tents of the sleeping miners. Luckily the casualties were few. A miner running to safety was shot dead, and the wife of another was wounded while in bed.[54]

In retaliation an armed force of miners started on February 10 on a march towards Mucklow, and was met by a posse commanded by a notorious leader of the armed guards. In the engagement twelve miners and four guards were killed. The guards were re-enforced, but the miners still outnumbered them and drove them back. The Governor immediately dispatched two companies of militia.[55] The military made many arrests of strikers and active leaders including "Mother" Jones, a member of the International Executive Board, and a local socialist editor. About 125 were held for trial by the military court.[56] The United Mine Workers rallied to the support of the West Virginia strikers. In February the Illinois district donated $100,000 and promised more if necessary.[57]

The attorneys for the union applied to the circuit court for a writ of *habeas corpus* to effect the release of the military prisoners. The circuit court ordered the military authorities to justify their action, but was ignored.[58] Later the circuit court upheld the right of the military commission to try cases.[59]

Shortly after his inauguration, Governor Hatfield announced a new deal in the strike situation. He also began releasing pris-

[51] *New York Call*, December 11, 1912.
[52] *United Mine Workers' Journal*, January 16, 1913, p. 7.
[53] *Ibid.*, January 23, 1913, p. 2.
[54] *New York Call*, February 9, 1913.
[55] *New York Times*, February 11, 1913.
[56] *Ibid.*, February 12, 1913; *New York Call*, February 14, 1913.
[57] *United Mine Workers' Journal*, February 27, 1913, p. 1.
[58] *New York Call*, March 8, 1913.
[59] *New York Times*, March 13 and 15, 1913.

oners convicted by the military tribunal.[60] On March 22, a number of collieries in the Paint Creek district, with about 4000 employees, settled with the union. The Governor withdrew a part of the soldiers from the strike area.[61]

On March 26, President White of the United Mine Workers proposed the following basis of settlement to Governor Hatfield: the rehiring of all miners without discrimination for union membership; the general nine-hour day; semi-monthly payment of wages; the right to have checkweighmen elected, and the two thousand pounds ton; a joint commission of five from each to fix all wage rates with due attention to competitive conditions.[62] White's proposal failed to move the operators.

The United States Senate adopted a resolution introduced by Senator Kern of Indiana to investigate the alleged system of peonage existing in West Virginia; the reported violation of the immigration laws; the disregard of constitutional rights; the charge against the union that it had shipped fire arms into the State for the purpose of excluding the products of the West Virginia coal fields from interstate competition; and the rôle of illegal agreements and combinations in causing trouble.[63]

Several months later the Senate committee reported. It found neither a system of peonage nor conclusive evidence of obstruction by the operators of the postal service and of a violation of the immigration laws. The military trials it condemned as having imposed excessive and unjust sentences even if not in clear violation of constitutional rights. The Senate committee concluded that the operators of the Central Competitive Field working under a union agreement were interested in having the West Virginia coal mines organized. Finally, the report condemned the use of armed guards and other abuses by the companies, but laid the major share of the blame for the disturbances at the door of the union which had determined to unionize the territory at any cost.[64]

In the middle of April Governor Hatfield proposed that the operators concede to the miners the right to organize; the nine-

[60] *Ibid.*, March 21, 1913.
[61] *Ibid.*, March 25, 1913; *United Mine Workers' Journal*, March 27, 1913.
[62] *United Mine Workers' Journal*, April 3, 1913, pp. 1, 7; *New York Times*, March 28, 1913.
[63] *Report of West Virginia Mining Investigation*, p. 67.
[64] *Ibid.*, pp. 20–22.

hour work day; the right to trade in non-company stores; semi-monthly pay days; and no discrimination against union men.[65] A miners' convention was called to consider his proposals. The Governor gave the delegates the choice between accepting his terms and the deportation of the "idle and troublemakers" from the strike zone.[66] The miners agreed to the Governor's terms.[67] The *Labor Argus*, a socialist paper in Charleston which agitated against acceptance, was confiscated and its editors jailed. Another opposition paper, the Socialist *Labor Star*, of Huntington, had its offices and plant wrecked by a mob of National Guardsmen and its staff arrested.[68] The employers likewise accepted the Governor's plan, and the strike ended on April 28, 1913.[69] Later, after a conference with a socialist committee headed by Debs, the socialist prisoners were released.[70] The socialist committee also exonerated Governor Hatfield of the charge of arbitrary rule.[71]

As an aftermath of the strike, President White and several other officers of the United Mine Workers of America were indicted under the Sherman Law of having conspired with the operators of the Central Competitive Field to restrain trade through raising wages in the West Virginia coal fields.[72] The charges were later dismissed.

The struggle in West Virginia during 1912–13 ended in only a partial victory for the union. In view of the ever growing importance of West Virginia as a bituminous coal state, the partial hold thus obtained was of dwindling significance. West Virginia continued as a gun pointing at the heart of the miners' industrial government.

The West Virginia front was the Western front in the miners' war. Another fighting front, practically contemporaneous, was in Colorado in 1913–14. The Colorado battle was given the widest publicity by the United States Commission on Industrial Relations when it kept John D. Rockefeller, Jr., the major stockholder of the largest Colorado coal company, on the witness stand for two days.

[65] *United Mine Workers' Journal*, April 24, 1913, p. 1.
[66] Merrick, F. H., "The Betrayal of the West Virginia Rednecks," *International Socialist Review*, July 1913, p. 19; *New York Times*, April 23, 1913.
[67] *United Mine Workers' Journal*, May 1, 1913, p. 1.
[68] *New York Call*, April 30 and May 10, 1913; *New York Times*, April 28, 1913.
[69] *United Mine Workers' Journal*, May 15, 1913, p. 2.
[70] *New York Times*, May 23, 1913.
[71] *Ibid.*, June 4, 1913.
[72] *United Mine Workers' Journal*, June 12, 1913, p. 1.

As a result, the strike overshadowed in the public mind the just ended more important struggle in West Virginia. The Colorado struggle served to offset in the public mind the McNamara confession. It was also the immediate cause of the Rockefeller plan of industrial relations, one of the earliest and doubtless best advertised company union plans.

The first local of the United Mine Workers in Colorado was organized in 1900. The next year a district organization was formed with 15 locals, but its existence was cut short by employer inspired official violence.[73]

The United Mine Workers continued secret organization activity, and in August 1903 a revived district organization, District No. 15, came out in the open with a public letter to Governor Peabody in which a list of the coal miners' grievances was recited. This was the opening gun in a campaign that developed into a one year long strike, 1903–04, in the Trinidad district, against the Colorado Fuel and Iron Company, a Rockefeller concern, the Victor Fuel Company, and several lesser companies. At the time this struggle was cast in the shadow by the more dramatic strife in the metalliferous mining fields of Colorado, in the Cripple Creek and Telluride districts. The coal miners' organization succumbed in the struggle.[74]

In 1910 the United Mine Workers tried again in the Northern Colorado coal fields. A strike was called on April 1, but ended in failure. In 1913 the United Mine Workers made another effort, this time in the Southern Colorado field, the most important coal section in the state.[75]

In August, Frank Hays, Vice-President of the United Mine Workers of America, arrived in Colorado. The union had grown and the membership was only restrained by the leaders from going on strike. Hays asked for a conference with the operators. He was refused.[76]

A convention of Colorado and New Mexico locals decided to go on a strike, unless the employers agreed to deal with the union.[77] The strike was called and the demands were the usual coal miners'

[73] *Biennial Report of the Colorado Bureau of Labor Statistics*, 1903–04, p. 194.
[74] *Labor Disturbances in Colorado*, pp. 351–359.
[75] United Mine Workers of America, *Proceedings of 25th Annual and Second Biennial Convention*, 1916, p. 100.
[76] *United Mine Workers' Journal*, September 11, 1913, p. 1.
[77] *Ibid.*, September 18, 1913, p. 1.

demands, including a 10 per cent wage increase, union recognition, the observance of the Colorado mining laws, the discharge of armed guards, and the right to choose one's boarding house and doctor.[78]

The strike call was enthusiastically received and the companies began evicting the strikers. The union organized tent colonies on land adjacent or near mining properties. Several hundred armed guards of the Baldwin-Felts agency were imported and deputized by the sheriff. On August 16 a union organizer was killed by a Baldwin-Felts detective in Trinidad.[79] An armored automobile with a mounted machine gun cruised through the mine area.[80] The miners offered resistance, and the sheriff of Las Animas county requested Governor Ammons for troops. The request was refused. The officers of the union pleaded for abstention from violence on both sides.[81]

Arrested strikers began to fill the jails.[82] On October 17, during a skirmish between guards and miners at the tent colony at Forbes, deputies arrived in two armored automobiles and directed their fire from machine guns into the miners' tents. One man was killed and a youth wounded.[83]

A few days later Baldwin-Felts guards fired into a strikers' mass meeting at Walsenburg, killing three and seriously wounding another.[84]

The increase of violence induced Governor Ammons to grant the request of the mine operators for troops. On October 26, the entire National Guard of Colorado was ordered to Las Animas and Huefano counties to occupy a front of about one hundred and twenty miles. The Governor instructed Adjutant General Chase not to employ his soldiers to facilitate the introduction of strike-breakers. This early attempt at impartiality was, however, reversed three weeks later by the general.[85]

At first the arrival of the state troops was not resented by the miners. In fact, they considered the National Guardsmen as a

[78] *Ibid.*, September 25, 1913, p. 1.
[79] *Ibid.*, August 21, 1913, p. 1.
[80] *Ibid.*, August 27, 1913, p. 1.
[81] *Ibid.*, October 16, 1913, p. 2.
[82] *Ibid.*, October 23, 1913, p. 2.
[83] Fitch, John A., "Law and Order in Colorado," *Survey*, December 5, 1914, p. 252.
[84] *United Mine Workers' Journal*, October 30, 1913, p. 1.
[85] *United States Commission on Industrial Relations*, Vol. 7, pp. 6362, 6488.

welcome substitution for the private guards. In Ludlow their arrival was joyfully greeted by the tent colony with a parade, bands playing, and flags flying.[86] But when the militia began to defend strikebreakers and intimidate strikers, sentiment changed. On November 10, at Laveta a fight between strikers and mine guards resulted in four of the guards being killed.[87]

Governor Ammons urged a joint conference of operators and miners. The conference met, but proved fruitless.[88]

To protest against the conduct of the militia, the Colorado State Federation of Labor convened in special convention, 500 strong, in Denver, on December 18. At the Governor's request the President of the Colorado Federation of Labor set up a committee to investigate the charges against the militia. The committee after an investigation charged that the commander, Adjutant General Chase, was personally unfit to command, that the militia was partial to the mine owners, and that a number of the National Guardsmen had formerly been employed as mine guards. The committee appealed to the United States Senators and Representatives of Colorado to bring about a Federal investigation.[89]

On January 4, "Mother" Jones arrived at Trinidad, and was prevented from leaving the train upon the orders of General Chase.[90] As if to bring back old Colorado memories, members of the Routt County Taxpayers' League deported seven miners, on the ground that every miner in the county must either find work or leave the district.[91] "Mother" Jones was again deported from Trinidad.[92]

On April 20, the Colorado coal strike was brought to the attention of the entire country by the gruesome burning of 11 children and two women in the Ludlow tent colony. A detachment of militia had been left in Ludlow, under the command of Major Pat Hamrock. On the morning of April 20 a battle between the militia and the miners began. The fight continued until late at night, and in the encounter a militia man was killed. During the battle,

[86] *United Mine Workers' Journal*, November 6, 1913, p. 1.
[87] *Ibid.*, November 13, 1913, p. 1.
[88] *Ibid.*, December 4, 1913, p. 1.
[89] Bowden, Witt, "New Developments in the Colorado Strike Situation," *Survey*, February 14, 1914, p. 614; *Denver News*, January 8, 1914; *United States Commission on Industrial Relations*, Vol. 7, p. 6639; *United Mine Workers' Journal*, January 29, 1914, pp. 1, 3, 7.
[90] *United Mine Workers' Journal*, January 8, 1914, p. 1.
[91] *Ibid.*, p. 2.
[92] *Ibid.*, January 15, 1914, p. 1; March 12, 1914, p. 1; March 19, 1914, p. 1.

the Greek strike leader, Louis Tikas, and the secretary of the Ludlow miners' local and another miner were captured. Lieutenant Linderfeldt broke a rifle upon the head of Tikas. Tikas and the secretary were later killed by the militia, who claimed that they had tried to escape. The militia raked the tent colony with machine gun fire, and a boy was killed during the siege. In the evening the miners' camp was captured by the troops and set on fire. It was later discovered that 11 children and two women had been smothered to death in one of the caves, while seeking to escape from the volleys of machine gun fire directed by the troops upon the tent colony. Later a coroner's jury charged the National Guardsmen with responsibility for the deaths.[93]

A wave of horror spread through the country, and the leaders of the Colorado labor movement immediately called on the laboring people of the State to organize military formations and to take up arms in defense of their lives and homes.[94]

The Ludlow massacre caused the strikers to avenge themselves. On April 22, an armed detachment captured the Empire mine, killed three guards who resisted, and left the property in ashes. The strikers also engaged the armed guards in battle around Hastings, Delagua, and Black Hills. Five hundred armed strikers laid siege to the camps in Aguilar, and the guards defending the property were hard pressed.[95] On April 25, Governor Ammons appealed to President Wilson to send Federal troops claiming that the state forces were inadequate to keep order. A temporary truce was arranged between Adjutant General Chase and the strike leaders.[96] Notwithstanding the truce, a detachment of armed miners captured the Chandler mine with one killed and one wounded.[97]

Congressman Foster, chairman of the House Committee on Mining, appealed to John D. Rockefeller, Jr., who was a principal stockholder in the Colorado Fuel and Iron Company, to intervene. Rockefeller refused.[98] On April 28, a detachment of 300 strikers surrounded the Walsen and McNalley mines outside of Walsen-

[93] *United States Commission on Industrial Relations*, Vol. 9, pp. 8190–8198; Vol. 7, pp. 6866–6902; Fitch, "Law and Order in Colorado," *Survey*, December 5, 1914, pp. 242, 257.
[94] *Report of United States Commission on Industrial Relations*, Vol. 7, p. 6983.
[95] *Denver News*, April 23, 1914.
[96] *Chicago Record-Herald*, April 26, 1914.
[97] *Ibid.*, April 27, 1914.
[98] *Ibid.*, April 28, 1914.

burg, and in the engagement two were killed and three wounded. The miners also attacked the large force of militia, commanded by General Chase, outside of Louisville with some casualties on both sides. On the same day, twenty rifles and 10,000 rounds of ammunition were confiscated from the car of the secretary of the Colorado Federation of Labor. He was released on probation.[99] On April 29, 100 National Guardsmen sought to dislodge 400 strikers from the hills adjacent to Walsenburg. On the same day a large detachment of strikers attacked and captured the mines around Forbes, burnt the buildings, and in the fighting seven mine guards and one striker were killed. Another casualty that day was Major Lester who surrendered to the strikers but was killed.[100] On April 29, President Wilson ordered Federal troops to Colorado to restore peace in the coal districts.[101] Secretary of War Garrison called upon all strikers, mine guards, and neutrals in the strike zone to surrender their arms to the Federal troops. The secretary of District 15 of the United Mine Workers of America agreed on behalf of the strikers.[102]

The Federal commander prohibited the importation of strike-breakers from other states. Resident miners who chose to return to work were protected and picketing was prohibited.[103]

President Wilson attempted to settle the strike. He sent a committee of two conversant with the industry, and each affiliated with a different side in the controversy, to investigate and to recommend a basis of agreement.[104] In September President Wilson formally proposed a settlement to both sides. A convention of Colorado mine workers, after a two-day discussion, accepted. The operators refused.[105] In November 1914 the President tried again, through a conciliation committee of three prominent citizens. Again the obduracy of the operators defeated the move. On December 10, a special convention resolved to call the strike off and to aid all blacklisted for strike activities.[106]

Indictments were returned against strike leaders. Several, including John R. Lawson, a member of the International Execu-

[99] *Chicago Record-Herald*, April 29, 1914.
[100] *Ibid.*, April 30, 1914.
[101] *Denver News*, April 30, 1914.
[102] *Chicago Record-Herald*, May 3, 1914.
[103] Fitch, *Survey*, December 5, 1914, p. 243.
[104] *United Mine Workers' Journal*, May 7, 1914, p. 2.
[105] United Mine Workers of America, *Proceedings of 1916 Convention*, p. 101.
[106] *United Mine Workers' Journal*, December 17, 1914, p. 13.

tive Board of the United Mine Workers and the real leader of the strike, were convicted of first degree murder and sentenced to life imprisonment.[107] They were subsequently released by the Colorado Supreme Court.

While on the bituminous front the United Mine Workers was hard pressed to keep the enemy from pouring through the ever widening West Virginia gap, matters stood much better on the anthracite front.

For ten years after the strike of 1902 the union failed to develop the strength in the anthracite field which many believed would follow. Certain proof of the weakness of the union is furnished by the fact that the wage scale in that field remained stationary until 1912 despite a rising cost of living. The wages of the anthracite miners in 1912 were slightly higher than in 1902, because coal prices had increased and the Anthracite Coal Strike Commission had re-established a sliding scale system of tonnage rates.

A great weakness, while the union still struggled for existence, was the lack of the "check-off." Membership would swell immediately before the expiration of the agreement but diminish with restoration of quiet. With no immediate outlook for a strike, the Slav and Italian miners refused to pay union dues. The original Award was in force until April 1, 1906. In June 1905, the union membership was less than 39,000. But by April 1, 1906, one-half of the miners were in the unions. A month's suspension of operations followed. Early in May the union and the operators reached an agreement to leave the award of the Anthracite Coal Strike Commission in force for another three years.

The following three years brought a duplication of the developments of 1903–06. Again membership fell off only to return in the spring of 1909. Again the union demanded formal recognition, and again it was refused. Again the original Award was extended for three more years.

In the winter of 1912, when the time for renewing the agreement again drew near, the entire membership in the three anthracite districts was slightly above 29,000. Nevertheless, the union demanded a 20 per cent raise, a complete recognition of the union, the check-off, and yearly agreements, in addition to a more expeditious system of settling local grievances to replace the slow

[107] *Survey*, May 15, 1915, p. 151.

and cumbersome joint arbitration boards provided by the awards of the Commission. A strike of 180,000 anthracite miners followed on April 1, 1912, during which the operators made no attempt to run their mines. The strike ended within a month on the basis of the abolition of the sliding scale, a wage increase of approximately 10 per cent, and a revision of the arbitration machinery in local disputes. This was coupled with a somewhat larger degree of recognition, but by no means a complete recognition. Nor was the check-off system granted. Strangest of all, the agreement called for a four-year contract, as against a one-year contract originally demanded by the union. In spite of the opposition of local leaders, the miners accepted the agreement. President White's chief plea for acceptance was the need to rebuild the union before anything ambitious could be attempted.

After 1912 the union entered upon the work of organization in earnest. In the following two years the membership was more than quadrupled. With the stopping of immigration due to the European war, the power of the union was greatly increased. Consequently, in 1916, when the agreement was renewed, the miners were accorded not only a substantial wage increase and the eight-hour day but also full recognition. The United Mine Workers have thus at last succeeded in wresting a share of industrial control from one of the strongest capitalistic powers of the country; while demonstrating beyond doubt that, with intelligent preparation and with sympathetic treatment, the polyglot immigrant masses from Southern and Eastern Europe, long thought to be impervious to the idea of labor organization, can be changed into reliable material for unionism.

The growth of the entire union is shown by the following figures. In 1898 it was 33,000; in 1900, 116,000; in 1903, 247,000; in 1908, 252,000; and in 1913, 378,000.[108]

[108] The actual membership of the union is considerably above these figures, since they are based upon the dues-paying membership, and miners out on strike are exempted from the payment of all dues. The number of miners who always act with the union is much larger still. Even in non-union fields the United Mine Workers has always been successful in getting thousands of miners to obey their order to strike.

CHAPTER XXVIII

BEGINNINGS OF COMPANY UNIONISM

Between 1910 and America's entry in the World War clothing became a new province of industrial government based on a mutual recognition of organized employers and organized labor, and the industrial government in bituminous coal held its own notwithstanding the open threat of West Virginia. The other side of the medal was the beginning of "welfare capitalism" and company unions. Company unionism, to become a "movement," still had to await the unintentional impetus given to it by the National War Labor Board.[1] But the aims and structural pattern were pre-war creations, arisen out of the miners' strike in Colorado—the Rockefeller Plan—, and out of the traction strikes in Philadelphia and New York—the Mitten and the Interborough plans.

Earlier attempts by Philadelphia street car men to organize having ended in disintegration about 1896, no new move was made until 1906.[2] A local was chartered in 1907. The Philadelphia Rapid Transit Company at first actively opposed and later tolerated the union. In May 1909, demands, including a wage of 25 cents an hour and recognition of the union, were made.[3] The demands were refused and on May 29, 1909, a strike was called. Five thousand responded and completely tied up the city.[4] Out-of-town strikebreakers were imported and violence and the wrecking of cars followed.[5] Public sympathy was clearly with the strikers.[6]

The strike was ended after five days by the intervention of one of the local Republican leaders. The Company agreed to meet with an employees' grievance committee to reinstate without lost pay those unjustly discharged prior to the strike, and to permit free choice in the purchase of uniforms; granted a working day of no less than nine hours nor more than ten to be completed

[1] See Chapter XXXII.
[2] *Motorman and Conductor*, May 1906, p. 15.
[3] *Ibid.*, June 1909, pp. 4–5.
[4] *New York Call*, May 29, 1909.
[5] Philadelphia *Public Ledger*, June 3, 1909.
[6] *Ibid.*, June 4, 1909.

within twelve hours; and promised a raise to 22 cents an hour, subject to certification by the city controller that an audit of the Company's books sustained the claim that receipts did not warrant a further increase. The agreement was to last until June 30, 1910.[7]

The agreement failed to satisfy either side. The Company had yielded under political pressure so as not to "complicate" the Republican campaign for municipal officers. In the fall of 1909, the Keystone Carmen, a company union, was organized. Its members were favored in runs and promotions.[8] Early in 1910 the board of directors of the Company announced a pension and insurance system for the employees.[9]

In January 1910 the regular union began negotiating for a new agreement. The union charged that the Company had violated every clause in the first agreement, except the one relating to the purchase of uniforms. A troublesome issue was the Keystone Carmen.[10] The Company was in a belligerent mood, and it literally forced a strike by discharging 173 union men on February 19, on the excuse that it was merely an accumulation of disciplinary cases. A strike was on [11] and also riots.

One hundred and seventy-five strikebreakers were brought from New York on February 20, and thereafter it was a continuous war, with the police helpless against the mobs. The Mayor appointed 3000 special police to proceed under the riot act. The Company announced that the rioters had wrecked 298 cars completely and smashed 2608 windows.[12]

On February 21, the police force was again enlarged by sixty-six park guards and the swearing in of 500 city employees. C. O. Pratt, the national organizer of the Amalgamated Association of Street and Electric Railway Employees of America, and leading this strike, was arrested and charged with inciting to riot.[13] More than 500 were arrested in the first three days of the strike. The first fatality occurred on the third day.[14]

[7] *Motorman and Conductor*, June 1909, p. 6.
[8] *Current Literature*, April 1910, p. 362.
[9] *Motorman and Conductor*, March 1910, p. 7.
[10] Howland, J. H., "The War in Philadelphia," *Outlook*, March 5, 1910, p. 524.
[11] *Ibid.*, March 5, 1910, p. 524.
[12] *New York Times*, February 21, 1910.
[13] *Ibid.*, February 22, 1910.
[14] *Ibid.*, February 23, 1910; *New York Call*, February 23, 24, 1910

On February 23, the employees of the Baldwin Locomotive Works, a non-union concern, engaged in a fray with the police out of sympathy with the street car strikers, with some casualties.[15] At the request of the Mayor, four troops of state police came to Philadelphia. Violence thereupon decreased.

The Company continued firm against the strikers. It refused a plea of a non-sectarian clergymen's committee to arbitrate.[16] The non-sectarian committee, made up of the representatives of the Catholic, Protestant, and Jewish faiths, appealed to both groups to arbitrate their differences.

The President of the Philadelphia Central Labor Union threatened a general strike, if the Company did not show a more conciliatory spirit.[17] At a meeting called by the Central Labor Union on February 27, with 122 delegates, 19 from unaffiliated unions, a strong minority wanted an immediate general strike, but after a six-hour debate it was decided by unanimous vote to call a general strike if no settlement was made by March 5.[18] Riots were a daily occurrence.[19] But the Company continued firm.

The general strike order was issued for midnight of March 4. The Committee of Ten, of the Central Labor Union in charge of the strike, reported 64,000 out on the first day,[20] and 146,000 were reported on strike a week later.[21] The frightened Mayor forbade all meetings.[22] The business community was thoroughly alarmed, and appealed to the banks to urge the Company to restore normal conditions.[23] Labor sought to retaliate against the banks for their supposed sympathy with the Company by urging laboring men to withdraw their savings.[24]

At last a meeting was held between the Board of Directors of the Company and national officers of the union.[25] The meeting failed, and plans began to be considered for a state-wide strike. It is doubtful whether such a strike was seriously contemplated, although the state convention of the Pennsylvania Federation of

[15] *New York Times*, February 24, 1910.
[16] *Ibid.*, February 26, 1910; *New York Call*, February 25, 1910.
[17] *New York Times*, February 26, 1910; *New York Call*, February 27, 1910.
[18] *New York Times*, February 28, 1910.
[19] *Ibid.*, February 28, 1910; *New York Call*, February 28, 1910.
[20] *New York Times*, March 5, 1910.
[21] *Ibid.*, March 12, 1910.
[22] *New York Call*, March 6, 1910.
[23] *New York Times*, March 12, 1910.
[24] *Ibid.*, March 14, 1910.
[25] *Ibid.*, March 15, 1910.

Labor indorsed a state-wide walkout in support of the Philadelphia street car men.[26]

Senator Penrose tried his hand as a mediator. The Company offered to reinstate all strikers with a raise of one cent an hour to 23 cents and then a further one cent up to the 25 cents rate; the 178 men discharged for "disciplinary" causes to be given a hearing before the president of the Company and a union representative acting as a board. However, to save the Keystone Carmen, the Company insisted that the men were to have the right to form separate unions or to belong to no union, and that any organized group was to have the right to present grievances. The union rejected the terms.[27]

Immediately after the rejection of the above terms of peace, the Pennsylvania State Federation of Labor announced that there would be no state-wide sympathetic strike. On March 27, the Central Labor Union ended the general strike, which left only the carmen on strike.[28]

The strike continued, with car service badly crippled. A large number of accidents and several deaths were directly traceable to the inexperience of the non-union motormen. In March the cost of maintaining special police protection amounted to $83,212. On April 8, the Company asked the city for a loan of $2,500,000.[29]

In the middle of April the Company offered to increase wages one cent an hour every six months until 25 cents was reached. This offer was rejected by a vote of 1258 to 1254, but the union decided to accept the terms.[30]

In December 1910, the Philadelphia Rapid Transit Company found itself bankrupt, and Thomas Mitten was called in from Chicago to reorganize the Company. Mitten proposed to the men a co-operative plan whereby 22 per cent of the gross passenger earnings would be set aside for wages, pensions, and death benefits. A Co-operative Committee with equal representation of employees and management would seek ways to improve the service, wages, and the conditions of the men.[31] If two-thirds of the men would indicate by a secret vote their desire to have the

[26] *New York Call*, March 18, 1910.
[27] *New York Times*, March 21, 1910; *New York Call*, March 22, 24, 1910.
[28] *New York Call*, March 28, 1910; *New York Times*, March 24, 1910.
[29] *New York Call*, April 7–9, 1910.
[30] *Ibid.*, April 18, 1910.
[31] *United States Commission on Industrial Relations*, Vol. 3, pp. 2809–2810.

Company enter into contractual relations with the Amalgamated Association of Street and Electric Railway Employees, the Company was willing to extend recognition.

On September 30, 1911, the Philadelphia Division of the Amalgamated asked the Company to make good its promise and to provide for a vote. The union was given an opportunity to examine the lists of voters and to express an opinion on the form of the ballot. The vote was held November 2, 1911, under the supervision of nine judges, three from the Amalgamated, three from the Keystone Carmen, the company union, and three chosen by the local newspapers. The vote was 4276 for the recognition of the Amalgamated and 2366 opposed. The vote being 353 short of the required two-thirds, the proposal was held to have been voted down. An immediate split in the union into three factions made recognition even further removed.[32] In July 1913 a second vote was taken on union recognition and it was rejected by 4320 to 2028.[33]

The structure of the Mitten Plan was as follows: The employees were divided into departments and each department into branches. Grievances came before a Branch Committee, and appeal could be had to the Departmental and lastly to the General Committee, and, in case of deadlock, before a Board of Arbitration of three, one chosen by the employees, one by the Company, and a third by the other two. If the two were unable to agree on a third member, the provost of the University of Pennsylvania, the chairman of the Public Service Commission, and the president of the Philadelphia Chamber of Commerce or their representatives were added to the board. A decision rendered by three of the five arbitrators was binding.[34] Only employees of six months' service or more were eligible to vote for Branch Committee men. Of the candidates in the election for Branch Committee men, the two receiving the highest number of votes were declared elected. Together with the two appointed by management they were the Branch Committee. Departmental Committees were chosen by the Branch Committees on the same bi-partite basis and in turn chose the General Committee. A Co-operative Welfare Association was set up, with employees of one year's service or more eligible

[32] *Ibid.*, Vol. 3, pp. 2810–2811.
[33] *Ibid.*, p. 2811.
[34] "A Plan for Collective Bargaining and Welfare" in Commons, John R., *Trade Unionism and Labor Problems*, pp. 276–281.

for membership. Dues were $1.00 a month, the Company paying into this fund an average of $90,000 a year, up to 1918, and at the rate of $10,000 a month after 1918. The Co-operative Association supplied death benefits, sick benefits, and pensions to employees over 65.[35]

Another notable pre-war company union was born in the midst of the most comprehensive traction strike in the history of New York City, in the summer of 1916, involving all the lines, surface, elevated, and subway in Manhattan and Bronx. The strike began over a wage dispute on the Westchester Electric Railway, operating surface cars in Yonkers, Mt. Vernon, and New Rochelle. The strike was ordered by the Amalgamated Association of Street and Electric Railway Employees of America, following a refusal by the management to arbitrate.[36]

The Westchester Railway Company was owned by the Third Avenue lines, which operated surface cars in the Bronx and Manhattan. The Westchester lines touched the Bronx lines, and the Amalgamated sent organizers to unionize those lines. On July 26, the new local demanded union recognition in behalf of the Bronx street car men and five cents an hour increase.[37] An attempt to operate Bronx cars with strikebreakers led to rioting.[38]

Next the men on the Third Avenue lines in Manhattan made the identical demands. The Public Service Commission urged arbitration, but the Company refused. A strike followed, tying up the Third Avenue lines.[39]

Next the Amalgamated concentrated upon the "green lines," owned by the New York Railway Company, under the same control and management as the Interborough Rapid Transit Company operating the New York elevated and subway lines. On August 3, employees on the "green lines" demanded union recognition and higher wages. The strike was complete, thus tying up all surface lines in the boroughs of Bronx and Manhattan.[40]

The New York Railway Company announced double pay to loyal employees. Fearing a spread of the strike to the Interbor-

[35] *Ibid.*, pp. 277–284. For further developments of the Mitten Plan see Chapter XLIII.

[36] *New York Times*, July 18, 22, 23, 1916.

[37] *New York Call*, July 27, 1916.

[38] *New York Times*, July 28, 1916.

[39] *Ibid.*, August 2, 1916.

[40] *Ibid*, August 5, 1916; *New York Call*, August 5, 1916.

ough, Frank Hedley, who combined the general managership of both the Interborough Rapid Transit and the New York Railway Companies, announced a wage increase to the employees of the Interborough.[41]

A settlement was made and the men returned to work. Union membership was permitted and grievance committees of the employees could confer with management on matters of discriminatory discharge,[42] wages, and other issues. Arbitration was to be had in deadlocked cases.

The agreement was shortlived. Fearing the spread of unionism from the New York Railways to the cherished Interborough, the common management discharged 25 employees of the New York Railway Company who had been active in the strike, on the ground that these men had been convicted of misdemeanors.[43]

Theodore P. Shonts, president of both companies, in speaking at two mass meetings of his employees, advised them to "ignore the outsiders" in their selection of committees of employees.[44]

The Amalgamated made the charge of bad faith. President Mahon of the Amalgamated speedily returned to New York. Mayor Mitchel proposed that the discharged 25 be reinstated. The Company did so, but with the understanding that the union was to withdraw its objections to the formation of a Brotherhood of Interborough Rapid Transit Company Employees, a company union.[45]

The overwhelming majority of the employees refused to vote in the election of the Company union.[46] On August 24, Hedley met an Amalgamated committee on working conditions. The Third Avenue line also agreed to reinstate all the former strikers.[47]

The management of the Interborough was correctly informed about the plan of the Amalgamated to unionize the subways and elevated lines. On August 30, the Interborough announced an increase in wages, the third increase in eight months, and the second since the union had invaded New York City. Another

[41] *New York Call*, August 3, 1916; *New York Times*, August 6, 1916.
[42] *New York Times*, August 8, 1916.
[43] *Ibid.*, August 12, 1916.
[44] *Ibid.*, August 14, 1916.
[45] *Ibid.*, August 16, 22, 1916; *Interborough Rapid Transit Company against William Green* et al., *Brief for Defendants*, The Workers Educational Bureau Press, New York, 1928, p. 3.
[46] *New York Times*, August 20, 1916.
[47] *Ibid.*, August 24, 26, 1916.

precaution against invasion by the Amalgamated was the presentation of individual employment contracts to be signed by each employee, binding him to a two years' term of employment. The union again charged violation of the agreement. Shonts, President of both companies, pointed out that the Interborough never was a party to the union's agreement with the New York Railway Company and never would be. An order to the strikebreaking agency of Berghoff and Waddell for a large number of strikebreakers made Shonts' stand emphatic.[48]

A strike was ordered on the elevated, subway, and "green" surface lines on September 6. Shonts, apparently pleased with the turn of the events, proclaimed that all contracts were off. Approximately 18,000 men went out on strike. Shonts had the strikebreakers concentrated on the elevated and subway lines, and temporarily ignored the surface lines. The few surface cars that left the barns had iron screens attached over the motormen's and conductors' booths.[49] On September 9, the employees of the Third Avenue lines joined the strike. The union was, however, unsuccessful in effecting a complete tie-up of the elevated and subway lines.[50]

The New York labor movement was aroused by the introduction by the Interborough of individual employment contracts. A joint meeting of representatives of the Central Federated Union of New York, the Brooklyn Central Labor Union, the New York State Federation of Labor, the New York office of the American Federation of Labor, and the Amalgamated Association recommended a general strike in New York City [51] and named a "Board of Strategy." [52]

The Public Service Commission approached both sides with the proposal of arbitration. Shonts and Hedley bluntly refused, claiming that it was a disguised union move.[53] The Central Federated Union of New York City called a sympathetic strike of 75,000 employed in supplying coal and materials for the traction companies.[54]

On September 18, the strike leaders openly pleaded for arbitration. On September 20, the Third Avenue company was emboldened by a concentration of 2000 police along its route to

[48] *Ibid.*, September 4, 5, 1916.
[49] *Ibid.*, September 7, 1916.
[50] *Ibid.*, September 10, 1916.
[51] *Ibid.*, September 11, 1916.
[52] *Ibid.*, September 28, October 1, 1916.
[53] *Ibid.*, September 13, 1916.
[54] *Ibid.*, September 16, 1916.

operate the first night cars since the beginning of the strike.[55] To control rioting 6000 police were detailed to strike duty. Mayor Mitchel threatened to request the National Guard, if the unions of the city carried out their sympathetic strike.[56]

The Central Federated Union asked its affiliated unions to express themselves on the issue of a general strike. Gompers arrived and threw his weight against the movement for a sympathetic strike. In the vote, unions with a membership of 176,000, including the ladies' garment workers with 100,000, voted for, and unions with a membership of 288,000, including the building and printing trades, voted against the strike.[57]

Despite the negative vote, the Board of Strategy in charge of the general strike issued on September 27 a call for a general strike. There was but a meager response, the longshoremen and a number of other large unions voting to postpone action until the following week. The only union which responded heartily was the brewery workers', whose 6000 members left their jobs and remained out until the first of October.[58]

On October 1, the Interborough canceled payments of double time to its strikebreakers on the elevated and subway lines,[59] and on October 14 the city withdrew the police from these lines. Late in October, when the strike was really over, a subway station was dynamited. Several persons were arrested, pleaded guilty, and were sentenced to the penitentiary.[60]

In December the Amalgamated openly admitted defeat.[61]

The Brotherhood of Interborough Rapid Transit Company Employees, the company union formed in August 1916, became permanent and in 1919 caused a completely successful tie-up, apparently with the consent of the Company, and as a move to secure higher fares. In 1927 it was engaged in a genuine strike.[62]

One of the results of the Colorado coal war was the Rockefeller Employee Representation Plan, prepared by MacKenzie King, later Premier of Canada, for the governing of industrial relations in the Colorado Fuel and Iron Company. Club houses, bathhouses, and dispensaries were built at different mining camps. The plan was a substitute for collective bargaining with regular labor organizations. Representatives were chosen by the em-

[55] *Ibid.*, September 21, 1916.
[56] *Ibid.*, September 22, 27, 1916.
[57] *Ibid.*, September 22, 24, 27, 1916.
[58] *Ibid.*, September 28, October 1, 1916.
[59] *Ibid.*, October 1, 1916.
[60] *Ibid.*, October 25–27, 1916.
[61] *Ibid.*, December 17, 1916.
[62] See Chapter XLIII.

ployees in a secret ballot, who met with an equal number of Company officers at least three times a year. There were standing committees on co-operation and conciliation, safety and accidents, sanitation and housing, and recreation and education. A Company officer, the President's Industrial Representative, periodically called at each camp and mill for conferences with the employees' representatives. Grievances were handled by the representatives and the Company executives, from mine boss or foreman to the President of the Company. Deadlocked cases went to the Industrial Commission of Colorado for arbitration. Employees had a right to hold meetings at appropriate places and to belong to any organization.[63] The system worked without serious opposition from 1915 to 1927, when it was undermined by a state-wide coal miners' strike. It continued after the strike and was liquidated in 1933, when the Colorado Fuel and Iron Company recognized the United Mine Workers of America.

[63] Rockefeller, John D., Jr., *Brotherhood of Men and Nations*, Denver, 1918, pp. 13–21; Rockefeller, John D., Jr., *The Colorado Industrial Plan*, 1916, pp. 63–88.

CHAPTER XXIX

THE PROBLEM OF STRUCTURE

The American Federation of Labor as a "government" is constructed like the Confederation of the United States prior to the adoption of the Federal Constitution. The rights granted to the Federation by the international trade unions bestow no authority over strikes, but make it the most exalted tribune in the American labor world—a power, and an effective one—in nothing so much as in the molding of labor opinion. However, the denial to the Federation officers of the power to issue commands to the affiliated organizations has in practice made for strength. The officers and leaders of the Federation, knowing that they could not command, set themselves to developing a unified labor will and purpose by cultivating the art of persuasion. Where a bare order would breed resentment and backbiting, an appeal which is re-enforced by a carefully nurtured universal labor sentiment, might bring about common consent. This sort of government has not made the American Federation of Labor the most harmonious family of international trade unions—the many jurisdictional disputes [1] amply attest to that—but it has imposed upon a labor group as devoid of class consciousness as is the American, perhaps the maximum obtainable willingness to stay corralled and on important occasions to pull in harness. Each craft was made a self-determining unit on a national or rather international (since it includes Canada) scale, and "craft autonomy" became a sacred shibboleth. The hope was that craft autonomy would not interfere but rather strengthen unity on essentials. It was proclaimed in the Scranton Declaration of 1901 [2] when the United Mine Workers were by way of strict exception permitted to retain the craftsmen around the mines properly coming under other jurisdictions.

In addition to the "art of persuasion" so thoroughly cultivated by Gompers and his successor for use in dealing with the leaders of the affiliated international unions, the Federation has

[1] Commons, J. R., "Jurisdictional Disputes," *Wertheim Lectures on Industrial Relations, 1928*, Harvard University Press, 1929, pp. 93–123.

[2] American Federation of Labor, *Proceedings*, 1901, p. 240.

had another string to its bow, its usefulness in protecting these against the menace of "dual" unions arisen as "secessions" from "regular" unions or promoted from the outside. This it does through its power of decreeing excommunications, whereby city and state federations of labor are prevented, on penalty of losing their charters, from befriending such "dual" unions. It is this function of the Federation, a function largely "invisible" to the outside world, which has built up the American labor movement. So long as the Federation is successful in discharging this "invisible" function, its failures in carrying out its more "visible" functions—lobbying for favorable legislation and related activities—are overlooked within the labor movement.[3]

Yet, with its power to make solidarity pay dividends, there is the ever present danger that too strong a tug at its bonds might rupture them altogether. That alone would have forced the Federation leaders to be exceedingly cautious regarding the craft autonomy principle, even if they had not been confirmed craft autonomists for other reasons. They would hardly risk endangering the hard-won unity, however imperfect, by disturbing the

[3] The Federation's most persistent failure to suppress dualism is found in the shoe manufacturing industry. In fact, strictly speaking it is not dualism but "multiplism," as there is a large number of organizations, national, regional, and local, engaged in an effort to gain membership among the shoemakers. In that regard shoe unionism differs from men's clothing unionism where dualism came as a result of an unbridgeable gulf between an American leadership and an immigrant following; and it also differs from dualism in the textile industry where the weakness of the regular organization, from whatever causes, has compelled many new starts and has made the workers ready to accept whatever leadership offers itself at a time when working conditions had been depressed below the level of endurance.

Dualism in the shoe industry, an industry that has been fairly organized since the nineties and with a relatively high level of wages, has been produced by a number of factors. It is a competitive industry with a large number of small and medium sized employers, which gives unionism a considerable bargaining power. The leasing system applied by the shoe machinery manufacturing concerns makes starting a shoe factory a matter requiring relatively little capital. Again until the relatively recent spreading away from New England, the industry has been localized in shoe towns with communities specialized by the kinds of shoes manufactured and impregnated with union sentiment. In brief, in these towns one finds something of the situation characteristic of the specialized manufacturing centers of Great Britain. Under such circumstances dualism is not the peril that it has proved in the average American industrial surroundings, even though mutual "scabbing" is far from unknown. Again the Boot and Shoe Workers' International Union, the "regular" union, has since the latter nineties held tenaciously to two policies which made accord with the other "dual" unions impossible. One was the insistence on very high dues. Another was the union stamp policy, whereby the union makes an agreement with an employer granting him the use of the union stamp solely for the promise to employ only union members and to submit all issues at dispute to arbitration. And as if to increase the unpalatableness of this expensive and non-aggressive unionism, the union is run as a highly centralized body with a minimum of local self-determination.

minds and unchaining strife with an authoritative *ex-cathedra* pronouncement, as the socialists advocate, in favor of unionism by industry instead of by craft. For, should the Federation—even if merely by way of recommendation—once let go of the "principle" of craft unionism (in practice deviations from a "strict" interpretation have been the rule, not the exception) it might thereby endanger the all-important "regularity" principle upon which the internal order of the Federation depends. This would result, because, by such a pronouncement, the Federation would destroy the certainty that it would bring to bear its power of excommunication against "industrialists" who seceded from regular unions. On the contrary, a minority faction which favored industrial unionism might then claim the moral authority of the Federation for seceding for the purpose of joining with other unions or factions thereof in an industrial union. Or, what is more likely to happen, the craft minded officers of the unions thus affected would demand that the Federation pronounce excommunication against these industrialist secessionists, in the name of the sacred principle of "regularity" and "no quarter to dualism." Consequently on the question of what shall be the proper basic unit in labor organization—craft union, industrial union, amalgamation, federation of allied trades, inclusive of the unskilled—the Federation leaders have found themselves facing a fundamental problem of "constitutional law" of their own organization, in addition to the psychological obstacle of the dominance of the craft union tradition over the majority of the organized. The Federation has never objected to deviations from craft unionism, provided they did not create such constitutional crises within itself. Rather the Federation has encouraged structural modifications to keep abreast of the changing structure of industry. However, such adjustments and modifications at bottom had to be made by the individual unions.

In the convention of 1934 the Federation again upheld the principle of craft unionism and decisively defeated the brewers' attempt to annex the teamsters, but, to meet the problem of unionizing the mass production industries, the jurisdictions of the several craft unions in those industries—paper jurisdictions in nearly all cases—were bestowed upon industrial unions in the process of formation. The Federation thus sought to modernize its structure without disturbing one of its pillars.

The trend in such structural modifications has doubtless been towards agglomeration. Yet in at least one notable instance it meant separation—in the printing industry. Originally all those engaged in printing, including pressmen, stereotypers and others, were in the Typographical Union. The pressmen first manifested a desire for a separate union in 1889, when as many as 13 independent pressmen's locals met in convention in New York City. They believed that as a minority in the printers' union their interests were sacrificed. On the other hand, many pressmen stayed in the Typographical Union. In 1894 a committee [4] from the Typographical Union invited the pressmen to reaffiliate with the right of separate locals to look after their specific interests, but met with rejection. As the continuation of competition for pressmen members made for an unsettled general condition fraught with the danger of dualism, an agreement between the two unions was made in August 1894. The Pressmen and Assistants' Union was given control of the pressroom and the Typographical Union retained control of the composing room. Pressmen and feeders still in the Typographical Union were to be admitted free of cost. Nationally and locally Allied Printing Trades Councils were set up to control the label and to look after other matters of joint interest.[5] The same arrangement was made with the International Brotherhood of Bookbinders, also a product of a secession from the Typographical Union.[6] In 1901 the stereotypers and electrotypers, having also gone on their own, were brought under a similar agreement,[7] as were the photo-engravers in 1903.[8] All of these swarms from the original beehive were caused by technological specialization.

The example of the printing trades, where diversity led to actual separation in organization, is but an extreme instance of a tendency frequently encountered in unions organized by industry. In such unions the leadership is obliged to take cognizance of the actual separation of interest of the several craft groups comprised in the organization. Frequently a strategically placed minority is in a position to force a special consideration of its spe-

[4] International Typographical Union, *Report of Officers*, 42d Annual Session, 1894, pp. 14–23.
[5] *Ibid.*, pp. 20–21.
[6] Tracy, *op. cit.*, pp. 506–510.
[7] *Ibid.*, pp. 680–682.
[8] International Typographical Union, *Report of Officers*, 50th Session, 1904, p. 28.

cific demands at the expense of the majority. Likewise, a numerically dominant craft can monopolize the bargaining power of the organization to its sole advantage and to the neglect of the legitimate demands of the minority. For these reasons the application of the industrial form of organization, in theory the fullest realization of labor solidarity, finds definite limitations in industries with clearly demarcated crafts. Also industrial or semi-industrial unions, to minimize internal friction, have found it necessary to grant to such craft groups a measure of self-government.

The motives for the separation of crafts within the same industry were brought out in what may be termed the classic instance of a craft's successful fight against being engulfed by an "imperialistic" neighboring craft, under the high sounding purpose of forming an industrial union—in the fight between the seamen and longshoremen. The International Longshoremen's Association tried in 1902 to engulf the marine firemen, oilers, and watertenders, and added "Marine Transportation" to its title. Andrew Furuseth, President of the International Seamen's Union of America, fought it to a standstill, since he firmly believed that in any organization comprising land workers and seamen, the landsmen, who would be in the majority, would sacrifice the seamen's interests to their own.[9] Furuseth was not impressed by the argument that the wider a union's jurisdiction the more perfect its solidarity.

The case came up before the convention of the American Federation of Labor in 1902, which appointed a special committee. The committee sided completely with the seamen, and denied that the longshoremen had a right to the words "Marine Transportation" in their name. A heated debate on the floor was ended by a resolve to create an arbitration committee of five.[10] For two years the matter dragged, and the two unions were at sword's points. The longshoremen laid the blame upon the seamen for the rise of an insurgent longshoremen's union on the Pacific Coast. Also there were the usual charges of stealing jobs at lower pay than the standard rate set by the opponent union.[11] In 1905 the trouble again came up in the convention of the American Federation of Labor. Once more it was decided to set up an arbitration board,

[9] *Coast Seamen's Journal*, December 3, 1902, p. 2; December 24, 1902, pp. 1–2.
[10] American Federation of Labor, *Proceedings*, 1902, pp. 187–189.
[11] International Longshoremen, Marine Transport Association, *Proceedings*, 1907, pp. 57–59.

with power given to President Gompers to appoint the odd man if the contestants failed to agree.[12] Gompers was selected as the impartial arbitrator and hearings began early in 1907. In June the board rendered its decision in favor of the seamen.[13] The longshoremen refused to abide by the award. Finally through Gompers' mediation [14] an agreement was made by the unions directly. The longshoremen were forced to go back to their earlier name, but were not forced to surrender members acquired on the strength of the jurisdictional claim.[15] Furuseth's stand is significant. Never tired of reiterating that the seamen have separate interests that land workers can neither grasp nor satisfy, he consistently opposed machinery leading to co-operation with the longshoremen, including a proposed (Water) Transportation Department of the American Federation of Labor.[16]

The seamen were able to defend their independence because, although less numerous than the longshoremen, they were the latter's fighting equals if not superiors, due to a greater cohesiveness among themselves and to Furuseth's flint-like determination. Where, however, a union seeking to engulf a neighbor through amalgamation was decisively the stronger of the two, "right" seldom triumphed in the sense of the right to exist independently as guaranteed by the charter from the American Federation of Labor. The Federation, when implored for aid by the weaker union with right on its side would at first sincerely come to its defense, but being extremely reluctant to apply force to any of its constituent unions, to say nothing of a strong and belligerent one unwilling to abide by arbitration awards that went against it, it would end by accepting what it saw was inevitable, and then turn to persuade the weaker union to accept its fate. As is usual under weak governments the "magnates" in the end have their way with the lesser people, however clear the latter's rights. The Federation, on its part, could argue that every institution possesses the right to correct past mistakes, namely the splitting up of one "natural" or "basic" craft jurisdiction among two or more unions. The building industry offers a clear instance where amalgamation was forced on chartered unions at the instigation of an

[12] American Federation of Labor, *Proceedings*, 1905, pp. 218–220.
[13] *Coast Seamen's Journal*, July 10, 1907, pp. 1–2.
[14] American Federation of Labor, *Proceedings*, 1907, pp. 244–245.
[15] *Ibid.*, 1908, pp. 255–256.
[16] *Coast Seamen's Journal*, January 31, 1912, p. 6.

aggressive union, and with the Federation ultimately spreading the cloak of legality over the procedure. Interpreting the principle of craft autonomy to mean that only one autonomous craft union may exist in a given "basic" trade, the Federation legalized the triumph of the United Brotherhood of Carpenters and Joiners over the Amalgamated Society of Carpenters, and the Amalgamated Wood Workers International Union of America.[17]

In 1895 the Amalgamated Wood Workers International Union of America, an amalgamation of the International Furniture Workers and the Machine Wood Workers, was formed to organize all workers in the factory wood industry.[18]

Secretary McGuire, of the United Brotherhood of Carpenters and Joiners, objected to the chartering of the wood workers, but finally withdrew his objections. His organization, however, continued to retain locals made up of planing mill workers, machine men, sash, blind, and door makers. Jurisdictional trouble soon developed. In 1897 an agreement between the carpenters and the woodworkers gave the latter the entire jurisdiction over all mill hands, except those employed in mill work who were already members of the carpenters' union, and gave the carpenters complete jurisdiction over outside carpenter work and the fitting of stores and offices. The agreement was abrogated by the carpenters the following year.[19]

In 1901 the wood workers complained to the American Federation of Labor that the carpenters were organizing wood workers.[20] In 1902 the United Brotherhood of Carpenters and Joiners also began its campaign against its older rival, the Amalgamated Society of Carpenters, and demanded the revocation of its charter. In the same breath the United Brotherhood of Carpenters and Joiners demanded the revocation of the charter of the wood workers. The convention of the Federation decided instead to turn the matter over to an impartial umpire.[21] The umpire awarded the preparing of building trim and material to the wood workers, the United Brotherhood of Carpenters and Joiners to have the erecting and fitting work. This decision was later upheld by the

[17] American Federation of Labor, *Proceedings*, 1912, pp. 107–111.

[18] Deibler, Frederick S., *The Amalgamated Wood Workers International Union of North America*, Bulletin of University of Wisconsin No. 511, Madison, 1912, pp. 69–70.

[19] *Ibid.*, pp. 165–169.

[20] *Ibid.*, p. 171.

[21] American Federation of Labor, *Proceedings*, 1902, pp. 140, 162–166.

convention of the Federation. In the case of the two rival carpenters' unions, the umpire decreed amalgamation.[22] The Brotherhood of Carpenters rebelled against the former award and the Amalgamated carpenters set about to evade the amalgamation decision.[23] Bitter hostilities began forthwith, the United Brotherhood of Carpenters and Joiners fighting on two fronts. In 1906 the officers of the wood workers, tired of war, agreed to amalgamation, but were repudiated by the membership. In 1908 the convention of the Federation instructed Gompers to go to the next convention of the wood workers to see that the terms of the amalgamation agreement were carried out.[24] The wood workers' convention having proved obstinate, the convention of the Federation in 1909 laid down the terms of amalgamation.[25] Still the wood workers carried on. At last, in 1911, the American Federation of Labor, tired of the dilatoriness of the wood workers, ordered them to amalgamate before July 1, 1912, on penalty of losing their charter.[26] In 1911, also, the Federation made final disposal of the conflict between the two carpenters' unions, again in favor of the Brotherhood of Carpenters and Joiners, and lent its authority to the ten-year old award to amalgamate. The warfare between the two carpenters' unions had led to disastrous results in many cities.[27] The Executive Council was to have final powers of decision upon all issues arising out of the amalgamation decree upon which agreement could not be reached. If the Amalgamated Association of Carpenters by dilatoriness delayed the amalgamation, its charter was to be revoked.[28]

The wood workers meekly submitted to their fate, but the Amalgamated Association of Carpenters resisted and had its charter revoked by the Executive Council of the American Federation of Labor.[29]

In the case of the railway carmen the leadership of the Federation in the matter of union amalgamation actually coerced a weak inside union to amalgamate with a stronger outside one. The

[22] *Ibid.*, 1903, pp. 83, 246.
[23] *Ibid.*, 1904, pp. 77, 219.
[24] *Ibid.*, pp. 226–227; *Proceedings*, 1906, p. 210; *Proceedings*, 1907, pp. 269–271; *Proceedings*, 1908, p. 207.
[25] *Ibid.*, 1909, pp. 290–291.
[26] *Ibid.*, 1911, pp. 320–321.
[27] See above, p. 88.
[28] American Federation of Labor, *Proceedings*, 1911, pp. 311–315.
[29] *Ibid.*, 1912, pp. 107–111.

outside union, the Brotherhood of Railway Carmen, was the older union, having been organized in 1888 on the model of the other railway brotherhoods, and followed the latter also in not affiliating with the Federation. In 1901, the Federation chartered the International Association of Car Workers.[30] Trouble immediately followed and amalgamation was suggested. The first step was taken in 1904. The Brotherhood was lukewarm towards affiliation with the Federation, and insisted also on retaining an anti-Negro clause in its constitution. It suggested a referendum vote by both memberships on these questions, but with the vote restricted to those who would be eligible to join the Brotherhood. The International Association of Car Workers declined to settle the question by this method.[31] Nine months later a Brotherhood delegation including Martin F. Ryan, visited, by invitation, the convention of the International and arranged for a joint convention. A majority of both memberships upheld it by a vote.[32] At this time the Brotherhood had 15,000 members and the International 2600. At the joint convention amalgamation was wrecked on the issue of affiliation with the Federation.[33] Two years later the Brotherhood's membership had risen to 35,000 and its organ confidently asserted that the Federation, in order to swallow this choice morsel, would disregard the "legitimacy" of the International Association.[34] The Federation took notice. Very circumspectly it started the delicate process of correcting its error without public admission. For evidently it had been misled in 1901, and had adopted the wrong twin. The International Association failed to grow, while the Brotherhood was growing apace. Gompers intervened by appointing a neutral committee on amalgamation. The Brotherhood was now willing to join the Federation, but the International Association, apparently sensing the Federation's change of affections, swung to anti-amalgamation, and blocked the grant of a charter to the Brotherhood. The job of the Executive Council of the Federation now settled down to dealing with the obstreperous "regular" union which was obstructing a valuable acquisition to the Federation family. In August 1910 it canceled its charter and made the Brotherhood, hitherto the "out-

[30] International Association of Car Workers, *Proceedings*, 1902, p. 21.
[31] International Association of Car Workers, *Official Souvenir*, 1907, p. 41.
[32] *Ibid.*, p. 45.
[33] Brotherhood of Railway Carmen, *Proceedings*, 1905, p. 9.
[34] *Railway Carmen's Journal*, May 1907, p. 189.

side" union, the "regular" union [35] of the car workers. The outraged "insider" vehemently protested in the convention of the Federation of 1910 and at the convention of 1911 dramatically surrendered its charter.[36] It continued under the old name until 1915,[37] when it renamed itself the American Federation of Railroad Workers, by design a dual union to all regular unions on the railways.

If the Federation repeatedly showed itself complacent to practical departures from the principle of the inviolability of chartered craft unions, when under pressure from strong craft unions, or, as in the case of the carmen, in its eagerness for new acquisitions—matters were different when the attack on craft autonomy came from avowed advocates of industrial unionism. Then it became a matter of principle rather than of expediency and adjustment, and the Federation, if it yielded at all, did so only in the last extremity. This was shown in the case of the brewers.

In August 1886, the National Union of the Brewers of the United States was formed out of six local brewery workers' unions. The organization was formed for the "advancement of the material and intellectual welfare of the brewers of the country" to be achieved by organization, propaganda, a reduction in the hours of labor, an increase in wages, and preferment in employment to practical and experienced brewers.[38] At the time of its next convention in 1887, 6000 were in the organization. The convention went over to industrial unionism and decided to organize all workers employed in the breweries—beer truck drivers, coopers, engineers, firemen, and maltsters. At the same time the name was changed to National Union of United Brewery Workmen of the United States.[39] The brewers became affiliated with the American Federation of Labor in the same year. The charter gave the brewery workers the right "to proceed with the organization of the trade and to admit any person or persons to membership, in accordance with its existing laws, and to conduct the affairs of the union in accordance with the interests of the trade." [40]

[35] American Federation of Labor, *Proceedings*, 1910, pp. 96–98.
[36] *Ibid.*, 1911, pp. 323–325, 334.
[37] *Ibid.*, 1915, p. 177.
[38] Schlüter, Herman, *The Brewing Industry and the Brewery Workers' Movement in America*, International Union of United Brewery Workers of America, Cincinnati, 1910, pp. 129–130.
[39] *Ibid.*, pp. 133–135.
[40] *Ibid.*, p. 219.

In 1892 the brewery workers decided to organize the coopers employed in breweries, and also non-brewery coopers in cities where no coopers' organization existed. In 1896 the coopers' union demanded that the brewers relinquish the coopers. This was the beginning of a controversy lasting a decade. In 1896 the stationary engineers, and in 1898 both the firemen and teamsters organized nationally. At the convention of the American Federation of Labor in 1898, the engineers' union demanded that engineers employed in breweries be turned over to them. The brewery workers refused, and a struggle similar to the coopers' began.[41]

In 1900 the convention of the Federation decided in favor of the brewers, except so far as the coopers were concerned.[42] But the fight went on.

In 1901 the Executive Council of the Federation was instructed by the convention to do what it could in the dispute among the five unions. The convention of 1902 ruled that engineers' and firemen's locals affiliated with the brewery workers must surrender their charters, and join the unions of their trades. The convention of the brewery workers refused to obey, and went back on a compromise agreement negotiated by the officials.[43] At the convention of the Federation in 1904, the coopers and teamsters joined the engineers and firemen against the brewers. The teamsters, from now on the leading opponent of the brewers' industrial unionism, demanded the 10,000 beer truck drivers belonging to the brewery workers. The brewers held a referendum and rejected the teamsters' request by a vote of 34,612 to 367.[44] In 1906 the coopers, engineers, firemen, and teamsters put a resolution through the Federation convention to compel brewers to surrender the firemen, engineers, coopers, and teamsters within 90 days, on penalty of revocation of charter. The brewers refused, and in June 1907 the Executive Council of the Federation revoked the brewers' charter. This drastic action against a successful union caused wide protest, and in February 1908, the Executive Council restored the brewers' charter, and thus recognized its claim to all employed in the brewing industry.[45]

In 1909 the teamsters and brewers' dispute again came before

[41] *Ibid.*, pp. 220–221.
[42] *Ibid.*, pp. 222–223.
[43] *Ibid.*, pp. 224–225.
[44] *Ibid.*, pp. 225–226.
[45] *Ibid.*, pp. 226–227.

the convention of the Federation. The convention, tired of the dispute, ordered a year's truce and standstill.[46] In 1910 the convention ordered a conference between the brewers and teamsters and gave the Executive Council the deciding vote if necessary.[47]

The Executive Council ruled in 1913 that inasmuch as brewery teamsters did also other than teamsters' work and were organized almost to a man in the brewery workers' union, nothing should be done to disturb the situation.[48]

The years 1912 and 1913 were crucial in the struggle between the industrial unionists and the craft autonomists in the Federation. The spectacular strikes of the Industrial Workers of the World in the textile centers of the East, and the uninspiring part played in these strikes by the United Textile Workers of America, placed the Federation on the defensive as regards union structure. Also several of the leading international unions, the machinists, miners, and journeyman tailors, had recently replaced their conservative officials with socialistic ones. Reporting to the convention of 1912, the Executive Council denied that the craft autonomy principle, sacred to the Federation since the Scranton Declaration of 1901, prevented the extension of union membership to lower strata of labor or an amalgamation of unions to strengthen labor's fighting front, and hotly denied that unions were "rigid, unyielding and that they do not adapt themselves to new conditions." [49] The miners' delegation had been instructed to bring in a resolution urging the Federation to alter its structure from the craft to the industrial form, and to instruct the officers to use their full power in that direction. The debate was long and heated. The resolution was defeated by 10,934 to 5929.[50]

The same convention saw a wide attack upon the policies of Gompers, culminating in the candidacy of Max Hayes for President. Hayes was a leader in the printers' union who through many years of activity in the socialist movement never lost the friendship and confidence of the Gompers group. Hayes himself says that his "candidacy at the Rochester convention (1912) was merely a gesture to enable minority delegates to register their

[46] American Federation of Labor, *Proceedings*, 1909, pp. 300–301.
[47] *Ibid.*, 1911, pp. 329–331.
[48] *Ibid.*, 1913, pp. 336–340.
[49] *Ibid.*, 1912, pp. 114–117.
[50] *Ibid.*, pp. 243, 309–312.

protests on certain political and jurisdictional differences." [51] Hayes was defeated by 11,974 to 5073.[52]

Gompers and his fellow leaders combined a strong personal conviction that the craft union principle was in the main safest for American labor, with a willingness to permit experimentation, provided that it did not create internal constitutional crises. Gompers was only too aware of the jurisdiction consciousness of American craftsmen, both leaders and followers, the corollary of their job consciousness. Having gone through the period of chaos in the eighties, and at last having seen the great bulk of the American trade unionists settle under one roof, the Federation, he was afraid that revolutionary alterations in structure would cause a return to the dualism and chaos of the period of struggle with the Knights of Labor.

Consequently, the criticism by the "industrialists" within the Federation had their effect, not in producing a *volte-face*, but in stimulating a silent "counter-reformation." For industrialism, or the adjustment of union structure to meet the employers on the front of an entire industry, was not altogether new even in the most conservative portion of the Federation, although never called by that name.

Long before industrialism entered the national arena as the economic creed of socialists, the unions of the skilled had begun to evolve an "industrialism" of their own. This species may properly be termed craft industrialism, as it sought merely to unite on an efficient basis the fighting strength of the unions of the skilled trades by devising a method for speedy solution of jurisdictional disputes between overlapping unions, and by reducing the sympathetic strike to a science. The movement first manifested itself in the early eighties in the form of local building trades' councils.[53]

In the middle of the nineties the St. Louis Building Trades Council initiated a move to federate the local building trades councils into a National Building Trades Council of America.[54] Eight local councils and one international union, the Brotherhood of Painters and Decorators, were represented in a constitutional

[51] In a letter to the authors, dated November 15, 1933.
[52] American Federation of Labor, *Proceedings*, 1912, p. 374.
[53] McGuire, P. J., "Building Trades Leagues," *National Labor Day Gazette and Review*, September 7, 1891.
[54] *Weekly Labor Compendium*, April 4, 1897.

convention in St. Louis in December 1897. The international unions were denied the dominance which they enjoyed in the conventions of the American Federation of Labor, where their voting strength on issues decided by a roll call is in proportion to their membership. In this convention each building trades council was allowed one delegate for each affiliated local, while the international trade unions were allowed one vote each regardless of membership.[55] The National Building Trades Council defined its purpose as the "establishing of a better feeling between employer and employee by the introduction of conservatism and a system of arbitration." It also aimed to standardize wages and hours in different localities.[56] In addition to being allowed merely nominal voting power, the few internationals which attempted to work within the National Building Trades Council, found themselves blocked by the local councils from meeting the problem of dual and secessionist internationals.[57] At the convention of the American Federation of Labor in 1900, Gompers condemned the National Building Trades Council as a dual organization. Still at the fourth annual convention of the Council in 1901 four internationals were represented together with 33 local building trades councils.[58] However, the carpenters and the other important internationals gave the Council a cold shoulder.[59] This sealed its future.

But an industry-wide confederation in building unionism could not be avoided. Some agency was needed to cope with the problems of jurisdictional disputes, which the constant changes in building technology, begun at the turn of the century, were forever pressing for solution. The international unions with their keen jurisdiction consciousness, itself the product of their job scarcity consciousness, were constantly impelled by these technological changes to defend the job opportunities of their own

[55] *Ibid.*, December 26, 1897; "Constitution of the National Building Trades Council," *ibid.*, January 2, 1898. In the American Federation of Labor the internationals cast one vote for every 100 members, and other groupings, such as state and city federations, are allowed one vote apiece.

[56] National Building Trades Council of America, *Constitution and By-laws*, 1902, pp. 3–5.

[57] Spencer, William J., "The Building Trades Council Prior to the Formation of the Building Trades Department," *American Federationist*, July 1916, pp. 559–560.

[58] National Building Trades Council of America, *Report of Proceedings of Fourth Annual Convention*, pp. 8, 23.

[59] *Ibid.*, 1902, pp. 14, 34.

membership, or to attempt to enlarge such job opportunities by snatching them away from a weaker adjoining union. The main aggressors in this never ending tug of war for jurisdiction were the internationals in the so-called "basic" trades. Hence machinery of peace had to be devised by the same "basic" unions. A conference of these "basic" trade unions met early in 1903. These were the bricklayers, plasterers, carpenters, stationary engineers, hod carriers, plumbers, steam fitters, painters and decorators, and structural iron workers.[60]

The outcome was the formation in October 1905 of the Structural Building Trades Alliance. The Alliance was to promote local and international boards of arbitration, but, where necessary, to employ the sympathetic strike; to suppress dual unions and to compel unaffiliated locals to join their respective internationals; to adjust jurisdictional disputes between member internationals; and to guard jealously the jurisdiction of all member internationals from being impaired as a result of new trades splitting off from the parent stem as well as to help them to absorb long existing independent unions properly belonging under one of the "basic" unions. In the conventions of the Alliance each international was allowed five votes.[61] The American Federation of Labor sensed in the Alliance a possible rival, but in view of the powerful participants in it, the Executive Council contented itself in its report to the convention of 1904 with expressing the hope that the Alliance would be loyal to the American Federation of Labor.[62] Of the internationals present at the founder convention only five, although among them were the largest unions, actually joined. At the convention of the American Federation in 1907 the Alliance was virtually legitimitized with the passage of a resolution to create a department of the Building Trades of the American Federation of Labor.[63]

In February 1908, the Department was formally created at a convention of eighteen international unions. Local building trades councils were denied representation on the ground that the enabling resolution of the convention of the American Federation of Labor had called for a Department of international unions only.

[60] Spencer, W., *op. cit.*, p. 561.

[61] Constitution of the Structural Building Trades Alliance, in the *Plumbers, Gas and Steam Fitters' Journal*, February, 1904, p. 4; Article III, Sec. 2.

[62] American Federation of Labor, *Proceedings*, 1904, p. 84.

[63] *Ibid.*, 1907, p. 303.

The Department took over the objective of the Structural Building Trades Alliance and the two were formally merged.[64]

The Department hardly realized the great expectations of its founders. If prior to its formation the American Federation of Labor had shown few results from its interference in building trades jurisdictional disputes, the Department can point to no greater successes. As before, the strong unions defy with impunity the arbitration awards that go against them. Moreover, in 1911 the Department suffered the humiliation of being sharply called to order by the American Federation of Labor. The carpenters and plumbers having refused to obey its awards, the Department expelled them, and requested the Executive Council of the American Federation of Labor to revoke their charters. The Council refused to act, due to lack of specific authority from the convention, and because it deemed inexpedient a stringent exercise of authority over affiliated bodies. Instead the Council urged the reinstatement of the rebellious unions by the Department and another effort to arrive at voluntary agreement.[65]

If the Building Trades Department was called into existence by the need to check and to minimize warfare between sister unions in the industry, the movement which ultimately produced the Railway Employes' Department sprang from the necessity to present a united front to the employers.

About 1900, when the railway shop craft unions had at last overcome the effects of the débâcle of the Pullman boycott of 1894 and of the depression, they again turned to common action, usually directed against the introduction of piece work. On two of the Western roads, the Union Pacific and the Santa Fe, the machinists, boilermakers, and blacksmiths had had ephemeral system federations earlier.

In 1902 when the Union Pacific put piece work into effect, the same three unions went on a joint strike.[66] The strike spread to the Southern Pacific, which the striking unions charged with supplying the Union Pacific with rolling stock. The other Harriman

[64] General Conference of the Building Trades affiliated with the American Federation of Labor, *Official Report*, 1908, pp. 12–14, 22; State Building Trades Council of California, *Proceedings of the 8th Annual Convention*, 1909, p. 20.

[65] Building Trades Department of American Federation of Labor, *Proceedings*, 1911, pp. 81–89.

[66] *Blacksmith's Journal*, June 1903, p. 2.

roads were likewise threatened.[67] In June 1903, E. H. Harriman intervened. Piece work was abolished, the strikers were reinstated with a 10 per cent increase in pay, and the nine-hour work day was granted. However, non-union employees were retained.[68]

In 1906 the machinists consolidated their system organizations into four regional ones covering the whole country.[69] At the same time formal system federations began to be discussed.[70] In 1908 the pioneer permanent system federation, on the Southern Railroad, was formed. The several crafts were allowed to continue to present separate lists of demands to the management, but the demands were to be the same for all crafts and each agreement was to contain the same 30-day termination clause.[71]

On a number of Southeastern roads early in 1908 a 10 per cent cut in wages was announced. In reply the shop crafts and the four brotherhoods formed a defensive alliance. The Southern Railroad was used as a test case in an arbitration procedure covering the brotherhoods, with the understanding that the award would be applicable also to the shop crafts. The wage reduction was subsequently rescinded.[72]

On the New York, New Haven and Hartford Railroad five shop crafts warded off by joint action, an attempt to introduce piece work.[73]

In 1908 the convention of the American Federation of Labor authorized a Railway Employes' Department.[74] But the movement for shop craft federation failed to flow into this channel. The Department confined itself to educational and legislative activities.[75]

A joint victory by the machinists, boilermakers, and blacksmiths against the Missouri Pacific early in 1910, led to a system federation on that road. It was followed by a crop of such federations.[76]

[67] *Machinists' Monthly Journal*, July 1903, pp. 608–616; *Railway Age Gazette*, January 9, 1903.

[68] *Railway Age Gazette*, June 5, 1903, p. 968; *Blacksmith's Journal*, June 1903, pp. 2–3.

[69] *Machinists' Monthly Journal*, August 1906, pp. 714–718; September 1908, p. 791.

[70] *Ibid.*, April 1915, p. 363.

[71] Conlon, P. J., "Memories of the Past," *Machinists' Monthly Journal*, December 1922, p. 729.

[72] *Machinists' Monthly Journal*, May 1908, p. 420; April 1909, p. 342.

[73] *Ibid.*, April 1908, pp. 293–295.

[74] American Federation of Labor, *Proceedings*, 1908, p. 243.

[75] *Machinists' Monthly Journal*, April 1915, p. 363.

[76] *Ibid.*, March 1911, pp. 252–254.

In June 1911 the Harriman System Federation was organized. It covered the eight Harriman lines. A board of 48, one from each of the six crafts for each of the lines, was put in charge.[77]

A month earlier, the six shop crafts on the Illinois Central and a federal labor union had organized a system federation. The individual unions made requests for a joint conference with the management to discuss the recognition of the System Federation. The request was denied and a strike vote taken.[78]

The Harriman System Federation also failed to gain recognition. The management was willing "to meet representatives of individual unions, but not of the Federation." Here, too, a strike vote followed.[79] On September 1 the Harriman management met with a committee of the shop crafts, but insisted that it was meeting with representatives of individual unions. After two days the conference broke up.[80] Later in the month the convention of the International Association of Machinists, after addresses by the international officers of three other shop crafts, voted to support the system federations under attack.[81] Another effort for peace, with President Kline of the boilermakers as spokesman for the federated crafts, met with failure, making a strike inevitable.[82]

The strike began September 30 with about 40,000 out. Shops were seriously affected on the Union Pacific, Southern Pacific, Oregon Short Lines, Oregon and Washington Northern, Oregon Railway and Navigation Company, Sunset Route, Yazoo and Mississippi Valley, and the San Pedro, Los Angeles and Salt Lake City Railroads. The Harriman strike was paralleled by the strike on the Illinois Central Railroad.[83]

The Illinois Central obtained sweeping injunctions from Federal judges.[84] In the South armed clashes took place with casualties.[85] At McCoomb, Mississippi, an Illinois Central train carrying strike-breakers was attacked, with 10 of their number killed and several cars burned. This brought the State militia on the scene. To avert

[77] *Ibid.*, August 1911, p. 789.
[78] *United States Commission on Industrial Relations*, Vol. 10, pp. 9701–9702, 9822–9828.
[79] Salt Lake City *Desseret Evening News*, August 25, 26, 1911.
[80] *Ibid.*, September 1, 2, 1911.
[81] Conlon, P. J., *op. cit.*, *Machinists' Monthly Journal*, January 1923, pp. 17–19.
[82] Salt Lake City *Desseret Evening News*, September 27, 28, 1911.
[83] *Boiler Makers' Journal*, November 1, 1911, p. 867.
[84] Salt Lake City *Desseret Evening News*, October 2, 1911; *St. Louis Globe-Democrat*, October 4, 1911.
[85] *New York Call*, October 4, 1911; *St. Louis Globe-Democrat*, October 4, 1911.

further trouble the militia escorted the strikebreakers out of the strike zone, over the protest of the railway officials. But the expulsion of the strikebreakers was only temporary.[86] The Illinois Central management turned a deaf ear to the Governor's suggestion of arbitration.[87] Lesser disturbances occurred at Water Valley, Mississippi,[88] and New Orleans. In New Orleans the authorities were forced by the strikers and their sympathizers to remove the strikebreakers.[89]

Early in the strike, the Union Pacific formally dismissed its striking shopmen.[90] Additional injunctions were secured from the Federal courts of Illinois and Kentucky.[91]

A joint effort to mediate by the several governors of the states served by the Illinois Central and the Harriman lines failed in November 1911. The roads were gradually surmounting the problem of running their shops without the regular men.[92] After December 1911 the strike became a gruelling endurance test for the men. The union officers sought to induce the Federal government to condemn the defective equipment turned out by the shops manned by strikebreakers, but to no avail.[93]

The opposition offered by the railways to the system federation idea brought the shop crafts face to face with the necessity of widening the scope of their co-operation beyond the single railway system, or to abandon the field of action. Already in May 1911, before the Illinois Central and Harriman strikes, representatives from the railroad shops west of Chicago met in Milwaukee, and appealed to the local lodges of the shop crafts to influence their international conventions in the direction of forming a country-wide Federation of Federations.[94] The international officers of the machinists took the lead, and in contact with the other crafts arranged for a convention.[95] On April 15, 1912, more than 200 delegates from roads west and south of Chicago

[86] *United States Commission on Industrial Relations*, Vol. 10, pp. 9713–9715; *Railway Age Gazette*, October 6, 1911, p. 681; *St. Louis Globe-Democrat*, October 4, 5, 1911; *New York Call*, October 4–6, 1911.
[87] *St. Louis Globe-Democrat*, October 6, 1911.
[88] *Ibid.*, October 6, 1911.
[89] *Ibid.*, October 7, 1911.
[90] *Ibid.*, October 7, 1911.
[91] Salt Lake City *Desseret Evening News*, October 11, 1911.
[92] *Chicago Daily Socialist*, December 7, 1911.
[93] *Machinists' Monthly Journal*, August 1912, pp. 714–715.
[94] Wharton, Arthur O., in *Machinists' Monthly Journal*, April 1915, p. 363.
[95] Federation of Federations, *Official Proceedings*, 1912, pp. 6–7.

met in Kansas City and formed a Federation of Federations of Railway Employes, an extra-legal grouping so far as the American Federation of Labor was concerned, and designed as a substitute for the ineffective Railway Employes' Department.[96] However, no battle of jurisdiction ensued, nor could it ensue, since the international unions who promoted the Federation of Federations were also the sole constituents of the Department. Accordingly, at its next meeting the Department ratified the legislation passed by the convention of the Federation of Federations and the two coalesced.[97]

The one and only convention of the Federation of Federations authorized a strike vote on all the Western roads in support of the Harriman and Illinois Central strikers. The unions attempted to use this resolution as a leverage to force the General Managers' Association of Western Railways to bring the striking crafts and the roads into conference. However, the Association refused to act on the ground of lack of authority.[98]

The strike continued, but the strikers' defeat was a foregone conclusion. Violence virtually ceased. Early in the strike, a young machinist, Carl Person, of Clinton, Illinois, had begun publishing the *Strike Bulletin*. While on a visit to Decatur, Illinois, the young editor was waylaid, and severely beaten. He went on with his self-appointed task. In November 1913 he was indicted in the Federal court for circulating material injurious to the Illinois Central Railroad.[99] He was arrested and released on bond. Still he continued to bring out his *Strike Bulletin*. On December 30 he was lured by a spurious telephone call to a suburban station where he was assaulted by the chief of the strikebreakers, a former chief of police of Clinton, Illinois. After a severe beating and fearing death at the hands of his powerful assailant he drew his gun and shot his antagonist dead. Person was arrested, indicted for first degree murder, and held without bail. At last he was released on $12,000 bail on a writ of *habeas corpus* filed with a court in Cook county.[100] A change of venue was secured over the

[96] *Ibid.*, p. 20.

[97] *Machinists' Monthly Journal*, January 1913, p. 37.

[98] *United States Commission on Industrial Relations*, Vol. 10, pp. 9791–9794; *Machinists' Monthly Journal*, June 1912, p. 485; Federation of Federations, *Proceedings*, 1912, p. 20.

[99] *Blacksmiths' Journal*, October 1914, p. 3.

[100] *Ibid.*, p. 4; Gibbons, Floyd, "The Carl Person Case," *International Socialist Review*, August 1914, pp. 76–77.

strong objection of the prosecution.[101] The trial began on October 1, 1914, the prosecution being aided by railroad lawyers and investigators. After a four days' trial the case went to the jury, which after 23 hours of deliberation acquitted him on the 22d ballot.[102]

On October 31, 1914, the Railway Employes' Department announced that strike benefits would be discontinued on December 1. The strike was called off by the Railway Employes' Department on June 28, 1915.[103]

The Railway Employes' Department, born inauspiciously in 1908 and infused with new life in 1912, had to wait another six years before it became the undisputed agency for collective bargaining of all railway labor outside the train service brotherhoods. That came with the war-time government operation of the railroads.

In June 1908 the Metal Trades Department was chartered. Its rôle was minor even during the favorable war-time situation. The Mining Department formed in 1912 to comprise the United Mine Workers of America and the Western Federation of Miners was a dead letter from the beginning. The Label Trades Department is a propaganda agency for union label goods.[104]

Thus in these various ways the American Federation of Labor, while opposing industrialism as a principle, adopted something fairly equivalent to meet actual needs—not abstract principles but adjustments dictated by actual situations. Twenty-five years later, the Federation, to meet the requirements of a unionizing campaign arisen in the mass production industries, such as automobiles, rubber, and steel, encouraged industrialism in the face of powerful craft union opposition—again not as a change in principle but as an unavoidable move in an actual situation.[105]

[101] *St. Louis Labor*, July 25, 1914.
[102] *New York Call*, October 1–6, 1914.
[103] *Machinists' Monthly Journal*, January 1915, p. 44; July 1915, p. 649.
[104] Hebbing, Albert Theodore, *The Departments of the American Federation of Labor*, Johns Hopkins Press, 1931, pp. 46, 112.
[105] American Federation of Labor, *Proceedings*, 1934, pp. 586–598.

CHAPTER XXX

FROM BARGAINING TO MILITANCY

The strike of the locomotive engineers on the Chicago, Burlington and Quincy Railroad in 1888, which proved extremely costly both to the management and the brotherhood, was followed by a long strikeless era in the relations between the railways and the brotherhoods of engineers, firemen, conductors, and trainmen. Railway managements adopted the policy of favorable treatment of these strategically situated groups, which included the fullest recognition of their brotherhoods, a scale of wage remuneration which placed them high above all other classes of railroad labor, and a far reaching security of the job through the rule of seniority and other devices. They thus became an American labor aristocracy, conscious of their privileged position and feeling themselves thoroughly apart from the shop crafts, clerks and telegraphers, to say nothing of the lowly maintenance of way men. On their own level, however, the brotherhoods recognized the value of a closer solidarity for making further advances and for holding past gains.

These efforts began in 1888 immediately after the Chicago, Burlington, and Quincy strike.[1] In June of that year the four brotherhoods (the conductors being represented by the Brotherhood of Railway Conductors, as the older Order of Railway Conductors was still a non-striking organization), and the Switchmen's Mutual Aid Association federated in the United Order of Railway Employes. If the individual organization failed to obtain a satisfactory settlement of its grievances on a given road, it could appeal to a Supreme Council composed of the heads of the constituent unions with the power of calling a general strike.[2] The Supreme Council was shortlived. In the spring of 1891 a break between the switchmen and trainmen led to the expulsion of the Brotherhood of Railroad Trainmen and to the dissolution of the Council.[3] However, later in the year progress in railroad labor

[1] *Locomotive Firemen's Magazine*, April 1888, pp. 246–248.

[2] *Ibid.*, July 1889, pp. 585, 627–629; December 1889, pp. 1094–1095; Robbins, E. C., *Order of Railway Conductors*, Columbia University Studies, 1914, p. 45.

[3] *Locomotive Firemen's Magazine*, June 11, 1891, pp. 534–538; *Railway Conductor*, July 1891, p. 417.

solidarity was made when the two conductors' organizations merged, under the name of the Order of Railway Conductors of America.[4]

In the winter of 1892, E. E. Clark, the chief of the Order of Railway Conductors, invited the chiefs of the other brotherhoods and of the switchmen and telegraphers to a conference at Cedar Rapids, Iowa. A committee was appointed to prepare a plan of co-operation.[5] The committee's plan called for federation of the railway service men and telegraphers by railway systems. The chairmen of the grievance committees of the organizations present at the conference were empowered to take up as a General Federated Committee any grievance left unadjusted by the grievance committee of an individual organization. The co-operation could be carried to the point of a general strike on the system. This became known as the Cedar Rapids Plan.[6]

In 1897 it was attempted to convert the system federation into a more closely knit form of co-operation, a Federation of Railway Employes with the power of control over strikes by individual brotherhoods.[7] However, that was carrying solidarity too far. The engineers refused to join,[8] and in 1900 the Federation was liquidated. The Cedar Rapids Plan perished with it.[9]

In 1898 Congress enacted the Erdman Act which provided machinery of conciliation and arbitration of disputes between the railways and their train service force, including telegraphers and switchmen. Either management or employees' organizations could invoke the aid of the Commissioner of Labor and the Chairman of the Interstate Commerce Commission as mediators. Mediation failing, resort could be had to a board of arbitration, one from each side and the third member selected by the other two. Hearings were to begin within ten days after the appointment of the arbitrators, and their award had to come within thirty days after their appointment. The award was binding upon both sides for one year. The arbitrators were empowered to administer

[4] *Railway Conductor*, October 1891, pp. 560–562.
[5] *Railway Trainmen's Journal*, February 1893, p. 105; *Railway Conductor*, January 1893, p. 37.
[6] *Railroad Trainmen's Journal*, May 1893, p. 379.
[7] *Railway Conductor*, November 1897, pp. 782–785.
[8] *Railroad Trainmen's Journal*, July 1898, p. 583.
[9] *Railway Conductor*, February 1900, p. 108; *Railroad Trainmen's Journal*, March 1900, pp. 257–259.

oaths, examine witnesses, and compel production of books and records.[10]

The ambitious vertical type of co-operation to include all branches of the train service personnel having failed, the brotherhoods of conductors and trainmen proceeded to develop concerted action amongst their own members beyond the limits of a single railway system. Wages had been made uniform over single systems in the nineties. But that carried definite limitations. It made wages dependent on the casual factor of the attitude of the system heads, and further demands for wage increases were countered by the argument that wages could not go beyond those on competitive roads. This advanced form of concerted action was first tried in the West. The conductors and trainmen formed in 1902 the Western Association with jurisdiction over all the railroads west of a line drawn from Chicago to Duluth and southwest from Chicago along a branch of the Illinois Central Railway. On June 24, 1902, the Western Association presented identical demands to all the Western roads for increased wages and better conditions simultaneously. After some negotiations the roads agreed to a number of changes.[11]

In February 1907 the conductors and trainmen dealt for the first time with the Western roads united as a body. A committee representing 42 roads with a total mileage of 101,500 met a joint committee of conductors and trainmen. The demands were for an eight-hour day and a 15 per cent increase.[12] A month's negotiation failed to produce agreement. The two brotherhoods went about taking a strike ballot.[13] Negotiations were resumed a month later with the men lowering their demands to a 12½ per cent increase and a nine-hour day. The roads offered a raise of 10½ per cent, but they refused to yield on the shorter work day. The deadlock brought in the Chairman of the Interstate Commerce

[10] Dixon, Frank Haight, "Public Regulation of Railway Wages," *American Economic Review*, supplement, March 1915, pp. 252–253; Neil, Charles P., "Mediation and Arbitration of Railway Labor Disputes in the United States," *Bulletin of Department of Labor*, January 1912, pp. 1–7, 13–18.

[11] Robbins, *op. cit.*, p. 64; Stockett, J. Noble, *The Arbitrational Determination of Railway Wages*, New York, 1918, pp. 12–15; *Mediation and Arbitration in Railroad Controversies*, Senate Hearings before Interstate Commerce Committee, *Senate Report No. 72*, 63d Congress, 1st Session, p. 42; Grand Division Order of Railroad Conductors, *Proceedings*, 1903, pp. 18–21.

[12] *Chicago Record-Herald*, February 10, 1907; Cunningham, William J., "The Locomotive Engineers Arbitration: Its Antecedents and Outcome," *Quarterly Journal of Economics*, February 1913, pp. 273–274.

[13] *Railway Age Gazette*, March 1, 1907, p. 289.

Commission and the Commissioner of Labor as mediators.[14] The mediators succeeded in a settlement. Conductors and trainmen employed on a 12-hour basis had their hours reduced to 10 with no reduction in pay. Those working on a 10-hour schedule were given a 10 per cent increase. Passenger conductors were granted a raise of $10.00 a month, baggagemen $7.50, brakemen and flagmen $6.50, without any increase in mileage. Employees on freight service were granted a 10 per cent raise. The wage increases exceeded by $1.50 for each group the last offer by the managers.[15]

Simultaneously with these Western negotiations the conductors and trainmen extended this co-operation to the Eastern roads. The Eastern territory was defined as bounded on the west by the main line of the Illinois Central Railroad and on the south by the Ohio River and the Chesapeake and Ohio Railroad.[16] The remaining territory was included in 1909 in the Southern Association.[17]

In 1908 the convention of the Brotherhood of Locomotive Firemen and Enginemen similarly divided the country into three districts, the Eastern, the Western, and the Southern.[18]

In January 1910 the conductors and trainmen began their first concerted wage movement on the Eastern roads. Negotiations failed and a strike vote was taken. Armed with a strike mandate from their membership, the brotherhood heads resumed conferences with the railroad managers. The railroads finally agreed to abide by the decision of E. E. Clark, then a member of the Interstate Commerce Commission and formerly head of the conductors' brotherhood, and P. H. Morrissey, the former head of the trainmen. The two arbitrators rendered a decision on May 4, 1910.[19]

In the fall of 1910 the locomotive engineers initiated a concerted wage movement on the Western roads. The dispute turned on the demand for double time for operating the huge Mallet engines, which, the engineers claimed, required greater skill and

[14] *Ibid.*, March 29, 1907, p. 548.
[15] *Ibid.*, April 5, 1907, p. 575; *Railroad Trainmen's Journal*, May 1907, pp. 439–444.
[16] *Railway Conductor*, May 1907, pp. 397–398.
[17] Robbins, *op. cit.*, p. 64.
[18] Wark, George K., "The Eastern Federated Board—Its Organization and Work," *Locomotive Firemen and Enginemen's Magazine*, June 1913, pp. 830–831; June 1916, p. 679.
[19] *Railway Conductor*, June 1910, pp. 468–469.

effort to operate. This demand was inspired by the ulterior purpose to slow down the introduction of these powerful locomotives which reduced the demand for engineers. The dispute was finally referred to arbitration.[20]

In January 1912 the engineers made concerted demands for wage increases on 52 Eastern roads. A strike vote was taken, more than 93 per cent voting in favor of empowering the officers to call a strike. Commissioner of Labor Neil and Interstate Commerce Commissioner Knapp stepped in as mediators, but no agreement was reached. An arbitration agreement followed, whereby each side was to choose one member and these two were to choose additional five. Failure to agree would leave the selection of the five to the Chief Justice of the United States Supreme Court and to the two mediating Commissioners. The five were indeed thus chosen.[21] Hearings began on July 12. Grand Chief Stone of the engineers demanded an increase in rates on all types of engines and standardization of wages on all Eastern roads. He also demanded that locomotive engineers be employed upon electric locomotives and gas motor driven trains. Both sides introduced expert witnesses with abundant statistical displays.[22]

The award, which granted a slight wage increase and made few other concessions, was received with intense displeasure by the men. P. H. Morrissey, the engineers' direct representative on the board, issued a vigorous dissenting opinion and his exceptions were especially directed against the *obiter dictum* in the award by President Charles R. Van Hise of the University of Wisconsin in favor of compulsory arbitration on the railways.[23] The award convinced many of the leaders of the railway brotherhoods that they stood to gain little and to lose much from arbitration. Grand Chief Stone, subsequently testifying before the Senate Committee on Interstate Commerce, emphatically asserted that he would never again consent to arbitration by outsiders, and charged that the arbitrators selected as representatives of the public in the controversy of 1912 were both ignorant of railroad conditions and imbued with an unjust spirit towards the men.[24]

[20] Cunningham, *op. cit.*, pp. 279–280; *Railway Age Gazette*, November 11, 1910, pp. 910–911, 930.

[21] *Railway Age Gazette*, May 3, 1912, p. 1017.

[22] *Arbitration between Brotherhood of Locomotive Engineers and Eastern Roads*, 1912, pp. 200–201.

[23] Cunningham, *op. cit.*, pp. 288–294.

[24] Senate Report 72, 63d Congress, 1st Session, p. 74.

Before long, the other railway brotherhoods went through similar experiences and reached the same conclusion. The Eastern Federated Board of the firemen presented demands to the Eastern roads late in 1912.[25] Attempted mediation was followed by a strike ballot,[26] and then by arbitration.

The arbitration award was a disappointment to the firemen. The brotherhood's official organ, following the award, came out with a call on all train service organizations for common action against the railways.[27] Already in 1910 the firemen's convention had authorized a committee to bring about closer relations with the engineers. The obstacle in the way was the long standing effort of the firemen's brotherhood to retain firemen after their promotion to engineer. Early in 1913 both brotherhoods accepted a co-operative plan.[28] But an even wider co-operation was foreshadowed. Addressing the firemen's convention of 1913, A. B. Garretson, the head of the conductors, urged the four brotherhoods to act as one.[29]

In August 1913 the engineers and firemen of the Western territory made common wage demands. This move involved 55,000 men, the largest number yet involved in any concerted demand.[30] The managers of the Western roads refused the demands and proposed to include in the negotiation other points of the working agreements.[31]

The railroads were ready to go to arbitration, but both Stone of the engineers and Carter of the firemen firmly refused. The unions took a strike vote.[32] The membership was overwhelmingly in favor of a strike. The brotherhood leaders systematically and firmly refused to be drawn into moves looking to arbitration. The managers alone appealed to the Board of Mediation. The Board proposed that arbitration be limited to the brotherhood's demands. Thereupon the brotherhood agreed to arbitrate. Now it was the turn of the roads to refuse as they were eager to raise

[25] *Locomotive Firemen and Enginemen's Magazine*, February 1913, p. 234.

[26] *Arbitration Agreement between Brotherhood of Locomotive Firemen and Enginemen and the Eastern Roads*, 1913, Vol. 1, pp. 2–21.

[27] *Locomotive Firemen and Enginemen's Magazine*, March 1913, pp. 378–380.

[28] *Ibid.*, July 1913, pp. 121, 130–138.

[29] *Railway Conductor*, September 1913, pp. 615–618.

[30] *Railway Age Gazette*, June 5, 1914, pp. 1240–1242.

[31] *The Wage Controversy between the Engineers and Firemen: A Statement of the Conference Committee of Managers*, Chicago, pamphlet, June 1914; *The Strike Question: A Statement of Enginemen*, pamphlet, 1914, pp. 20–21.

[32] *Railway Age Gazette*, June 5, 1914, p. 1218; *The Strike Question*, p. 11.

issues of their own. The engineers and firemen met this refusal with a strike order. President Wilson intervened at once. Both sides were invited to confer with the President, and after some urging the roads yielded.[33] Each side appointed two arbitrators and two additional ones were chosen by the four. Hearings began on November 30, 1914, and were continued until April 2, 1915. On April 30, 1915, the award was published.[34]

The award again proved a disappointment to the men, and it was severely condemned by the leaders.[35] It gave the last necessary impulse to the movement for action by all four brotherhoods. In September 1915 the new unity was manifested when 700 delegates, representing the four organizations in the Southeastern territory, came out for the eight-hour day and for a concerted wage movement of the four brotherhoods.[36] The eight-hour demand was making rapid strides among the membership. On December 9, 1915, the executives of the four organizations met and on December 15, having been joined by the executive committees of the Southern, Western, and Eastern Associations of all the four brotherhoods, an agreement was made to submit the following proposals to a general referendum vote:

> "In all road service 100 miles or less, eight hours or less will constitute a day, except in passenger service. Miles in excess of 100 will be paid for at the same rate per mile.
>
> "On runs of 100 miles or less, overtime will begin at the expiration of eight hours.
>
> "On runs of 100 miles or less overtime will begin when the time on duty exceeds the miles run, divided by 12½ miles per hour.
>
> "All overtime to be compensated on the minute basis and paid for at time and one-half times the pro rata rate.
>
> "No one shall receive less for eight hours or 100 miles, than they now receive for a minimum day or 100 miles for the class of engine used for service performed." [37]

Ninety-five per cent of the membership voted to submit these demands to the railway managers of the country.[38] At once the railways established a publicity bureau to keep its side of the

[33] *Railway Age Gazette*, August 7, 1914, p. 232.

[34] *Locomotive Engineers' Journal*, July 1915, pp. 683–684.

[35] *Locomotive Firemen and Enginemen's Magazine*, August 1915, p. 220.

[36] *Ibid.*, November 1915, pp. 593–594.

[37] *Railroad Trainman*, May 1913, p. 581; Parmelee, Julius H., "The Problem of Railway Trainmen's Wages," *Annals of American Academy*, January 1917, p. 4.

[38] Robbins, Edwin Clyde, "The Trainmen's Eight Hour Law," *Political Science Quarterly*, December 1916, p. 546.

controversy before the public.[39] The railway managements joined together in a General Conference Committee of Railroad Managers of the United States.[40] The railway executives' most telling argument was that this was not a *bona fide* move for the shorter workday, but a subterfuge to exploit the gaining popularity of the eight-hour day as a leverage for a wage increase. The railways argued that it was physically impossible to reduce the average run to an eight-hour schedule. Hence overtime would become a daily necessity, to be paid at a higher rate to a group of employees whose rate of pay was the highest in the country.[41] The brotherhoods created a publicity bureau of their own.[42]

On March 30 the demands of more than 300,000 railroad men were formally submitted to the managers of 458 roads, and the managements were asked to reply within 30 days.[43] The brotherhoods suggested that the managers form a national conference committee so as to make possible negotiations on a national scale. The railroads complied.[44] A committee of 17 for the railways was created to deal with the brotherhoods' representatives. The managers rejected the eight-hour day, and made several counter proposals. It was agreed, however, that real negotiations should begin in New York City on June 1.[45] Meanwhile both sides poured forth a steady stream of propaganda. The leaders of the unions announced beforehand that, taught by past experience, they would never accept arbitration.[46]

On June 1 the most momentous wage conference in the history of the United States opened in New York City. Six hundred and forty division chairmen represented every railroad division in the United States. The men's chief spokesman was A. B. Garretson, the head of the conductors. Elisha Lee, General Manager of the Pennsylvania Railroad, and a veteran of many wage controversies, headed the managers' side.[47] The brotherhoods insisted that the eight-hour day was neither subject to compromise nor to arbitration. The railway representatives were for arbitration all

[39] *New York Call*, January 24, 1916.
[40] *New York Times*, January 28, 1916.
[41] *Locomotive Firemen and Enginemen's Magazine*, March 1916, pp. 333–339.
[42] *Ibid.*, April 1916, p. 459.
[43] *Ibid.*, April 1916, p. 457; *Railway Age Gazette*, April 7, 1916, pp. 785–786.
[44] *New York Times*, May 28, 1916.
[45] *New York Call*, May 16, 1916.
[46] *Ibid.*, May 19, 1916.
[47] *Locomotive Engineers' Journal*, June 1916, p. 534; *New York Times*, June 2, 1916.

around. This was unequivocally rejected by the men.[48] For 15 days negotiations went on, but wholly without result. On June 16 negotiations were broken off.[49]

Next in order was a strike vote. Union as well as non-union workers employed in the train service were allowed to vote on the strike question.[50] The managers projected themselves into the situation employing open letters, warnings, pleas for loyalty, and thinly veiled threats of loss of pension rights.[51] The counting of the ballots in the first part of August showed a vote in favor of the strike ranging by district and occupation from 84 per cent to 98.7 per cent of the total votes cast.[52]

Re-enforced by this decisive vote for a strike, the brotherhood heads were more opposed than ever to arbitration. Summarizing the labor point of view, the firemen's magazine put the case in a nut shell: "Arbitration means a long and tedious court process of tiresome presentation of technical evidential details to a board consisting of gentlemen a majority of whom are characterized by entire lack of experience as wage earners and the possession of abstract theories as to labor compensation, such procedure being accompanied by enormous expense to the employees and eventually resulting in failure to give them any relief worth speaking of from intolerable wage and employment conditions." [53]

Negotiations were resumed on August 8. One of the railway representatives asked that the Railway Managers' Conference Committee be shown the strike vote by individual roads. The brotherhood heads suspected that it was a maneuver to discover which roads had the largest potential force of strikebreakers, and Stone of the engineers bluntly told the managers: "There are some things you will have to take on faith." [54] Failure of the conference was unavoidable. The managers offered no specific proposals and asked the brotherhoods to join them in a request for mediation. The brotherhoods refused, and the roads made the appeal alone.[55] The mediators labored for three days to move the

[48] *Railway Age Gazette*, June 23, 1916, pp. 1535–1536.

[49] *Locomotive Engineers' Journal*, July 1916, p. 655; *New York Call*, June 16, 1916.

[50] *New York Call*, June 17, 1916; *Locomotive Engineers' Journal*, August 1916, p. 742.

[51] *New York Times*, July 3, 1916; *Railway Age Gazette*, July 28, 1916, p. 143.

[52] Robbins, *Political Science Quarterly*, September 1917, p. 413.

[53] *Locomotive Firemen and Enginemen's Magazine*, September 1916, p. 287.

[54] *Ibid.*, September 1916, pp. 288–292.

[55] *Railway Conductor*, September 1916, p. 670; *Railway Age Gazette*, August 11, 1916, p. 245.

situation off the dead point, but were obliged to admit failure. In the meantime, the leaders were under pressure from the membership to proceed from words to action.[56] Following the admitted failure of the mediators, Secretary Tumulty came to New York with a request from President Wilson that both sides confer with him.

The President first suggested arbitration. This the brotherhood heads emphatically rejected. They denied that they had the power to cancel the overwhelming mandate of the membership. Even the chairmen lacked the authority to compromise the eight-hour demand. President Wilson then requested the roads to accept the basic eight-hour day and to submit the collateral question of time and a half for overtime to a commission to be created by Congress. The brotherhood heads asked for time to submit the proposal to the division chairmen. Six hundred and forty chairmen were brought to Washington and after an address by the President voted to accept. The managers refused to yield.[57] To avert the threatened walkout President Wilson summoned the presidents of the leading railways and appealed to them over the heads of the Railway Managers' Committee. The railway chief executives were unwilling to overrule their spokesmen. Instead they made a counter proposal that the Interstate Commerce Commission authorize the railroads to maintain two sets of books, one on the basis of the existing rates of pay and the other on the basis of the eight-hour day. The President was to name a board of arbitration to consider the case. Meantime two sets of payroll records would be kept assuring to the men back wages in case the arbitrators awarded an increase. The union leaders saw nothing but dilatory tactics and protested to President Wilson.[58]

Only one course now lay open to the heads of the brotherhoods. On August 28 the chairmen of the grievance committees began departing for home. Before leaving, each man was given a sealed envelope containing instructions. The contents of the secret instructions were revealed to the railways and by them to the press by three faithless chairmen.[59] The national railway strike of the

[56] *New York Times*, August 11, 1916.

[57] *Railway Conductor*, September 1916, p. 670; *Locomotive Firemen and Enginemen's Magazine*, September 1916, pp. 293–296; *New York Times*, August 16, 17, 1916.

[58] *Locomotive Firemen and Enginemen's Magazine*, October 1916, pp. 375–377; Robbins, *Political Science Quarterly*, September 1917, p. 417.

[59] *New York Times*, August 29, 30, 1916; *Locomotive Firemen and Enginemen's Magazine*, October 1916, pp. 372–381.

four train service groups was to become effective September 4 at 7 A. M., and detailed instructions followed. Twenty-four executives were left in Washington with full power to act.

President Wilson asked the heads of the brotherhoods to postpone the walkout. They denied their ability to do so. The authority to suspend the strike order lay with the men. The situation called for speedy action. President Wilson addressed Congress in person, in joint session, and appealed to the members to avert the threatened catastrophe by the enactment of an eight-hour law for railway transportation employees. The required measure passed the House on September 1 and the Senate on the next day. It was signed by President Wilson on September 3, one day before the strike order became effective.[60] The law, known as the Adamson Act, established the eight-hour day for train service employees effective January 1, 1917, and authorized a commission appointed by the President to investigate its working.[61] The three commissioners, E. E. Clark, member of the Interstate Commerce Commission, formerly head of the conductors, G. Ruble, member of the Federal Trade Commission, and Major General Goethals, were appointed early in October.[62]

The brotherhoods knew that the enactment of the Adamson Act did not settle the matter finally. Appeal to the courts on grounds of constitutionality was certain. Speaking for all four brotherhoods President Lee of the trainmen threatened a national strike unless the eight-hour day was instituted on January 1, 1917.[63]

The railways, of course, decided to test the Adamson Act in the courts. A number of roads secured injunctions against the enforcement of its provisions, and, on November 24, agreed to join the government to secure an early decision on the law's constitutionality. The test case selected was the injunction secured by the Missouri, Oklahoma, and Gulf Railroad.[64] In January 1917 the 640 division chairmen were again in session in Chicago and decided to wait a reasonable amount of time before taking decisive action.[65] In March the patience of the union leaders came to an

[60] *New York Times*, August 30, 31, September 1–4, 1916; *Locomotive Firemen and Enginemen's Magazine*, October 1916, p. 378.
[61] *Railway Conductor*, October 1916, p. 827.
[62] *New York Times*, October 6, 1916.
[63] *Ibid.*, November 12, 14, 1916.
[64] *Ibid.*, November 23, 24, 1916.
[65] Robbins, *Political Science Quarterly*, September 1917, p. 422; *Railway Conductor*, February 1917, pp. 133–134.

end. They decided to force the issue before the United States had become involved in a war with Germany, in which event a strike would be out of the question. On March 10 the chairmen were secretly summoned to a number of railway centers, and decisive action determined upon. On March 12 a sudden announcement was made that a strike would begin on March 17 on several roads and gradually be extended until by the 20th of March every railroad in the United States would be tied up.[66] Frantic conferences between the brotherhood heads and the railway managers began at once and lasted two days and nights. The managers insisted upon waiting for the decision of the United States Supreme Court, while the union leaders demanded the immediate eight-hour day regardless of the Court's decision.[67] President Wilson dispatched four members of the Council of National Defense to the conference. The brotherhood heads agreed to a postponement of the strike for 48 hours. The temper of the men may be judged from the complete tie-up of whole divisions due to the failure of the postponement order to reach them in time. Once on strike, the men refused to give credence to telegrams or telephone messages postponing the strike, and resumed their jobs only when trusted leaders came on the ground and confirmed the postponement order. Negotiations continued and on March 18 the railways of the United States agreed to establish the eight-hour day. The following day the United States Supreme Court upheld the constitutionality of the Adamson Act by a five to four decision.[68]

The victory was with the brotherhoods. However, the threat to tie up the transportation system of the country and the forced intervention of the President and Congress and even the Supreme Court to avert a catastrophe was utilized by the propaganda of the anti-union interests of the country as a most telling demonstration of the abuse by union labor of its power. Following this victory by labor, the country was too much engrossed in war activities for the unfavorable public reaction to produce immediate effects. But the postwar open shop movement made ample capital out of the incident.

[66] *New York Times*, March 13, 1917; *Locomotive Firemen and Enginemen's Magazine*, April 1, 1917, pp. 3–4.
[67] *New York Times*, March 16, 1917.
[68] *Wilson* v. *New*, 243 U. S. 332, 37 Sup. Ct. 298 (1917).

CHAPTER XXXI

THE I. W. W. AND "ORGANIZING ON THE JOB"

The convention of the I. W. W. in 1914 found, when surveying the field, practically no activity of the organization. The depression of 1914 put an end to the rebellions of the unskilled in the East. The only permanent job protective organizations that resulted from the Eastern campaigns of the I. W. W. were among the Italian bakers in New York and the longshoremen in Philadelphia. Disappointed with the East, it completely turned its attention to the migratory workers of the West. A Bureau of Migratory Workers was established.[1]

On April 14, 1915, 10 delegates representing agricultural locals met in Kansas City and formed the Agricultural Workers' Organization, with uniform dues and initiation fees, and elected a General Organization Committee to direct a campaign in the harvest fields.[2] This was not in conformity with the constitution of the I. W. W., but William D. Haywood was unlikely to raise constitutional issues if he thereby impeded the achievement of results.

The campaign began in Southern Oklahoma. The demands were for a 10-hour day and a daily wage of $3.00, 50 cents an hour for overtime, satisfactory board, clean sleeping places, and no discrimination against I. W. W. members.[3] This was a wholly novel experiment in organizing. The harvest fields were magnets for thousands from the cities as well as from the farms eager to earn a few dollars. The harvest hand usually followed the wheat harvest from Southern Oklahoma to Canada. Each job was of necessity of short duration. He covered long distances on freight trains, or on the engines and baggage cars of passenger trains, and during the season was rarely disturbed by the railroad police. He was, however, subject to exactions by the train crew. This the Agricultural Workers' Organization meant to terminate. A far more serious menace to the harvest hand's earnings were the "high-jacks," or hold-up men, bootleggers, and "tin-horn" gam-

[1] *Solidarity*, November 28, 1914.
[2] *Ibid.*, April 24, 1915.
[3] *Ibid.*, June 26, 1915.

blers, who preyed on them while on the train and in the "jungles," their resting places between jobs.[4]

The result of the first year's campaign vindicated this type of organization. The form of organization was highly centralized, with the office first in Kansas City and later in Minneapolis. Soap boxers were not encouraged, as free speech fights might impede organizing on the job. The General Organization Committee was composed of seven paid traveling organizers or "delegates" who were allotted districts in the harvest fields. The traveling delegate's function was to direct "job delegates." A job delegate was a volunteer organizer on the job. He collected initiation fees which, subject to a small deduction as commission, he forwarded to the main headquarters of the Agricultural Workers' Organization with monies collected from dues and the sale of defense stamps. In addition, resident delegates were placed at the principal points in the grain area to act as secretaries responsible to the General Organization Committee.

In the spring of 1916 the agricultural union held a mass convention to work out a program for the coming harvest. It was decided to demand $4.00 for a 10-hour day.[5] Those who preyed on the harvest hands were warned to desist. In addition, armed committees were organized to protect against robbery the harvesters moving north from Kansas and Oklahoma. "Jungles" were forbidden to gamblers and bootleggers. As the campaign progressed the "delegates" and members began to enforce the closed shop through physical control of the means of conveyance. No one was allowed to ride without a red card. By October 1916, 18,000 workers had been initiated into the Agricultural Workers' Organization of the I. W. W.[6]

Many of the workers who joined merely bought a passport through the harvest fields. There were others, however, who transferred into other I. W. W. unions after the harvest season. Harvest workers were normally recruited from other seasonal industries, and when returned to their winter jobs they spread the gospel of organization. Moreover, the Agricultural Workers' Organization became the financial mainstay of the whole I. W. W. On August 31, 1915, the general organization of the I. W. W. had a cash balance of $922.44, out of a total income for the year of $9208. On the same date in 1916, as a result of the agricultural

[4] *Ibid.*, July 10, 1915. [5] *Ibid.*, May 27, 1916. [6] *Ibid.*, November 18, 1916.

campaign the balance was $18,745.33, and the income for the year was $50,037.28. It should be noted that the general organization of the I. W. W. received only 15 cents out of the monthly dues of 50 cents and no share of the initiation fees.[7]

The Agricultural Workers' Organization was as generous as it was affluent. It sent organizers into the lumber woods of Idaho, Montana, and Washington, to the oil fields of Kansas and Oklahoma, and to the construction and grading camps over the West. The cost of the organizing work in the metal mining districts came directly from the general office. The I. W. W. saw itself the champion of the migratory workers of the West. The slogan became "Get on the Job."

A. C. Townley, President of the Farmers' Non-Partisan League, proposed to the Agricultural Workers' Organization a trade agreement covering wages, hours, and other conditions in the harvest fields. Committees to negotiate the agreement actually met in June 1917,[8] but the war hysteria, which outlawed the I. W. W. and nearly outlawed the Non-Partisan League, prevented this curious negotiation from bearing fruit.

In 1916 the I. W. W. also made a bid for control outside the industries manned by migratory labor—in making its own the cause of the Mesaba Iron Range strikers.

The Mesaba Iron Range is one of the world's greatest ore producing areas. It stretches for a distance of about 70 miles through St. Louis and Itasca counties in Northern Minnesota. The area is dotted with modern towns, with facilities and cultural amenities equal to any. In 1907 the Western Federation of Miners conducted a strike in this region. Boatloads of immigrants from Southeastern Europe were brought in to replace the strikers. Nine years later these polyglot employees of the United States Steel Corporation and its subsidiaries were ready for a revolt of their own. They demanded more wages and fewer hours, but they were most aroused by the institutionalized system of graft practiced by the foremen.[9]

There were two systems of wage payment on the Mesaba. The open pit men were paid by the day, as were the underground men who were not miners. The underground miners were paid

[7] Industrial Workers of the World, *Proceedings of the Tenth Convention*, pp. 49–50.
[8] *Solidarity*, June 9, 1917.
[9] Cothern, Marion B., "When Strike-breakers Strike," *Survey*, August 10, 1916, p. 535.

on a contract basis. A miner contracted with the foreman to mine ore for a given rate per carload, depending on the conditions of the working place. This made the foreman a czar, and he was not slow in exacting a toll for assigning a miner to a favorable working place.[10]

An unorganized walkout occurred on June 3 at one of the mines and soon involved a majority of the miners. The inexperienced strikers appealed for outside leadership. None responded but the I. W. W. Under its mentorship demands were made for an eight-hour day, an increase from $2.60 to $2.75 for surface men and $3.00 for miners in dry places.[11]

The leading employer was the Oliver Mining Company, a subsidiary of the United States Steel Corporation with its properties widely distributed over the range.[12] The Company had an organized private police force. This force was now greatly increased and supplemented by an improvised Citizens' Committee in Virginia City.[13]

The first clash resulted in the killing of a striker.[14] Governor Burnquist sent an investigator. The secretary of the Mesaba Range local of the I. W. W. told him: "We don't want to fight the flag, we don't want to fight anybody, what we want is more pork chops." [15] By the middle of June, the strike was complete over the whole Range.[16]

After a clash on July 3 in which a deputy was killed,[17] three leaders of the strike were arrested as accessories to the murder, and four others were charged with murder.[18] The Minnesota Federation of Labor approved the strike and promised financial aid.[19] By August defections in the ranks began. Many of the original strikers left, and on September 19 the strike committee called the strike off.[20] Two months later a 10 per cent increase in wages was given.[21] The fate of the arrested strikers was decided

[10] Vorse, Mary H., "The Mining Strike in Minnesota," *Outlook*, August 30, 1916, pp. 1036, 1045.
[11] *Solidarity*, September 23, 1916.
[12] *St. Paul Pioneer Press*, June 24, 1916.
[13] *Solidarity*, June 29, 1916.
[14] *Superior Telegram*, June 22, 1916.
[15] *St. Paul Pioneer Press*, June 24, 1916.
[16] *Ibid.*, June 26, 1916.
[17] *Ibid.*, July 4, 1916.
[18] *Solidarity*, August 5, 1916.
[19] *Ibid.*, July 29, 1916.
[20] *Ibid.*, September 23, 1916.
[21] *Survey*, January 6, 1917, pp. 411–412.

by an agreement whereby five persons, including the three leaders, would be released on their own recognizance and the others would plead guilty to manslaughter. The latter were sentenced to prison from one to seven years.[22]

The next major fight was at Everett, Washington, a medium-sized lumber town about 30 miles north of Seattle. It was an open shop town controlled by the Commercial Club. In the spring of 1915 the wages of the shingle mill workers were reduced with the promise that as soon as the price of shingles rose, the old wages would be restored. In 1916 the price of shingles did rise, but the promise was not kept. A strike was called by the International Shingle Weavers' Union, affiliated with the American Federation of Labor, on May 1, 1916.[23] On June 1 the longshoremen in all Pacific Coast ports, including Everett, went on a strike of their own. The tug boat men joined in when their demand for higher wages was refused. These strikes, like the shingle weavers', were American Federation of Labor strikes.

In August, the Lumber Workers' Union No. 500 of the I. W. W. opened a hall in Everett and arranged for a meeting in a campaign to organize Washington. The meeting was prevented by the sheriff, who arrested the speaker and many others, had them placed on a suburban bus and deported to Seattle. In Seattle, a general membership meeting chose a free speech committee to fight it out in Everett. The Everett Labor Council, of the American Federation of Labor, condemned the sheriff and the city authorities.[24]

In September matters quieted down in Everett. Two Federal mediators had come to try to settle the strikes. During their sojourn the I. W. W. hall was opened and a meeting was permitted. At this meeting one of the speakers, later exposed as a private detective, was denied the platform by the committee in charge, when he began his speech by advocating violence.

With the departure of the mediators, arrests and deportations of members of the I. W. W. was resumed by the sheriff. The authorities practiced keen vigilance in keeping invading I. W. W. members out of Everett, and the means employed were seldom

[22] *St. Paul Pioneer Press*, December 16, 1916.

[23] Strong, Anna Louise, "Everett's Bloody Sunday," *Survey*, January 20, 1917, p. 475.

[24] Smith, Walker C., *The Everett Massacre*, I. W. W. Publishing Bureau, Chicago, 1917, pp. 35–41.

gentle.[25] All in all it was estimated that between 300 and 400 were thus headed off and deported. For instance, on October 30, 41 men left Seattle by boat for Everett and were met on the docks by numerous *vigilantes* led by the sheriff. The men were seized, beaten, and transported to the outskirts of the town. There they were made to run the gauntlet between two rows of *vigilantes* armed with clubs.[26]

The I. W. W. accepted the challenge. Everett was a test case. All over the Pacific Coast open shop leaders were advocating similar means of suppression. The "free speech committee" at Seattle issued a general mobilization call to Everett, where a meeting was to be held on November 3. The I. W. W. was determined, but so were the *vigilantes*.[27]

On November 5 a boat was chartered for Everett. Two hundred sixty were placed on this ship, the Verona, and 39 others on another vessel. The sheriff was duly warned by an inside informer. About 200 armed *vigilantes* were a reception committee waiting on the dock. When the boat was made fast, the sheriff demanded to have the leaders pointed out to him. That was refused, and the I. W. W.'s attempted to disembark. At a signal from the sheriff, shooting began and continued for 10 minutes until one of the entrapped passengers forced the engineer to back the boat from the dock.[28] In the shooting five members of the I. W. W. and two *vigilantes* were killed and 31 I. W. W.'s and 19 *vigilantes* were wounded.[29]

The boats, for the Verona was joined by the other vessel which never docked, were met in Seattle by police who arrested nearly 300 in all.[30] Mayor Gill of Seattle denounced the *vigilantes* of Everett as murderers, and ordered improved treatment of the prisoners.[31] He did not recede from this position even under threat of recall.[32]

Of the prisoners, 74 were held on charges of first degree murder. A defense committee was organized. The Seattle Labor Council

[25] *Ibid.*, pp. 47–51.
[26] Seattle *Post-Intelligencer*, April 11–14, 1917.
[27] *Solidarity*, November 18, 1916.
[28] Smith, *op. cit.*, pp. 84–93; Seattle *Post-Intelligencer*, November 6, 1916.
[29] Smith, Walker C., "The Voyage of the Verona," *International Socialist Review*, December 1916, p. 340.
[30] Seattle *Post-Intelligencer*, November 7, 8, 1916.
[31] *Ibid.*, November 8, 1916.
[32] *Ibid.*, November 15, 1916.

and the Washington State Federation of Labor denounced the Everett authorities and urged their locals to support the arrested I. W. W.'s. The defense succeeded in obtaining a change of venue to Seattle and an outside judge to preside. The trial of the first defendant lasted two months, ending in acquittal.[33] The other cases were dismissed.

Everett was a bloody beginning of a campaign by the I. W. W. to organize the lumber industry of the Northwest. The industry is in two regions. The region of Washington and Oregon, west of the Cascades to the Pacific, is the Douglas fir region. Here abound red cedar and Douglas fir, used in shipbuilding, the manufacture of railroad cars, and in construction work. East of the Cascades and west of the Rockies is the Inland Empire with white pine. Lumbering methods differ radically in both regions.[34] In the Douglas fir region, where the trees are tall and heavy and the ground rough, powerful steam driven machinery is used.[35] East of the Cascades logging methods are more primitive and less capital is needed.

The lumber industry of the Pacific region has known many attempts to organize. The first union was in Eureka, California, in 1884. The Knights of Labor took it over and soon it had a membership of 2000 in a number of locals. It lasted five years.[36]

An organization of the shingle weavers in the mills or the Northwest was organized in the early nineties but soon broke up. Ten years later, in 1903, the International Shingle Weavers' Union of America was formed. In 1906 it tied up 60 per cent of the shingle production on the West coast. The next important strike was in the Grays Harbor district in Washington, in 1911–12. It was a violent strike and at a later stage the I. W. W. had a hand in it.[37]

In 1912 the jurisdiction of the shingle weavers was extended by the American Federation of Labor to logging, but strikes and lockouts in 1914 and 1915 almost destroyed it. This failure caused the Federation to revoke the shingle weavers' jurisdic-

[33] *Ibid.*, May 6, 1917.

[34] Mittleman, Edward B., "The Loyal Legion of Loggers and Lumbermen," *Journal of Political Economy*, June 1923, pp. 313–315.

[35] Gibson, Wm. H., *Logging in the Douglas Fir Region*, United States Department of Agriculture Bulletin No. 711, 1918, p. 2.

[36] *The Lumber Industry and Its Workers*, I. W. W., Chicago, Illinois, pp. 75–77.

[37] Howd, Cloice B., *Industrial Relations in the West Coast Lumber Industry*, United States Department of Labor, Bulletin No. 349, 1923, pp. 55–57.

tion over sawmill and log camp workers and a new jurisdiction was created in 1916,[38] the International Timber Workers' Union.

The I. W. W. made its *début* in the lumber industry in 1907, leading an unorganized strike of sawmill workers in Portland, Oregon. Several unsuccessful I. W. W. lumber strikes occurred in 1912 and 1913.[39]

The success in the harvest fields spurred the I. W. W. to renewed efforts among the lumber workers. At first sponsored and nourished by the Agricultural Workers' Organization, a Lumber Workers' Industrial Union No. 500 was formed on March 4, 1917, at a convention in Spokane. The same convention laid plans for a strike in the Spokane "short log" country,[40] with a minimum wage of sixty dollars a month as one of the demands. But the major evil in the lumber camps was the unbearable living conditions.[41]

The first revolt was in Eureka, Montana, during the river drive. The men demanded a dollar increase in pay per day and a reduction of the working day from twelve to eight.[42] The strike persisted and spread despite company interference and the preventing of picketing by State troops.[43] Soon all the mills in Montana were wholly or partially affected.[44]

Lumber Workers' Industrial Union No. 500, according to plan, called a strike in the Spokane district for July 1. Due to the men's impatience the strike became nearly general in Montana and Idaho ahead of date.[45] The demands in the whole short log country were for an eight-hour day, no work on Sundays or holidays, sixty dollars a month for lumber workers and $3.50 a day for sawmill hands, satisfactory food in porcelain dishes with no overcrowding at dining tables; sanitary kitchens and sleeping quarters with a maximum of twelve in each bunk house; single spring beds and mattresses with clean adequate bedding to be furnished free of charge; drying rooms, shower baths, and adequate lighting in

[38] *Ibid.*, pp. 58–61.

[39] *The Lumber Industry and Its Workers*, pp. 75–78.

[40] This includes Eastern Washington, Northern Idaho, and Montana.

[41] *United States Commission on Industrial Relations*, Vol. 5, pp. 4209–4214; Rowan, James, *The I. W. W. in the Lumber Industry*, pamphlet, I. W. W., Chicago, p. 30.

[42] *Industrial Worker*, April 21, 1917.

[43] *Great Falls Daily Tribune*, May 3, 1917.

[44] State of Montana, *Third Biennial Report of Labor and Industry*, 1917–18, p. 304.

[45] Rowan, *op. cit.*, p. 31; *Idaho Daily Statesman*, July 23, 1917.

the bunk houses; free hospital service and semi-monthly payment by bank check with no discount. Lastly they demanded that no one under sixteen should be given work around a sawmill and no discrimination against members of the I. W. W.[46]

The lumber companies raised the issues of radicalism, sabotage, and pro-Germanism. President Wilson's Mediation Commission disagreed with the employers. It found that "membership in the I. W. W. by no means implies belief in or understanding of its philosophy. To a majority it is 'a bond of groping fellowship.'" [47] The local authorities sought to end the strike by suppression. Governor Alexander of Idaho accused the Spokane City authorities of tolerating the I. W. W., to the detriment of the whole region.[48] He met the Governor of Washington to devise common means of dealing with the I. W. W. menace.[49] A Latah County, Idaho, Protective Association was organized to protect loggers who wished to return to work. These citizen police planned to arrest all known I. W. W. members. However, they also planned to improve the industrial camps by enforcing the sanitary laws.[50] Governor Alexander took active command of the campaign of suppression. He summoned the sheriffs of thirty-one counties for counsel and instruction. All the halls of the I. W. W. were closed, innumerable arrests were made.[51]

In the lumber districts west of the Cascades discontent was also rife. Here the I. W. W. was not alone but had to accommodate itself to the existence of two American Federation of Labor unions, in the shingle weaving industry and amongst the loggers. The shingle weavers demanded the eight-hour day. The employers refused and a strike was called for July 16. The Timber Workers' Union demanded, under threat of a strike on the same date, $3.00 for an eight-hour day in the mills and $3.50 for a nine-hour day in the camps, better sanitary conditions, union recognition, and freedom in the camps from the bosses' interference.[52]

The employers formed a militant Lumberman's Protective

[46] *Industrial Worker*, July 14, 1917.
[47] "President's Mediation Commission Report," *Reports of the Department of Labor*, 1918, pp. 21–22.
[48] Portland *Morning Oregonian*, July 12, 1917.
[49] Idaho *Daily Statesman*, July 14, 1917.
[50] Idaho *Sunday Statesman*, July 15, 1917.
[51] *Solidarity*, July 28, 1917.
[52] Howd, *op. cit.*, pp. 70–71.

Association. It set out to raise a half million fighting fund and any member working his crews less than ten hours was to be fined $500.[53]

The Seattle District of the Lumber Workers Industrial Union No. 500 called a general strike on the same date set by the two Federation unions for their strikes.[54] The strike call was at once heeded by the mill and lumber workers around Bellingham, Index and Everett,[55] and by the middle of August the entire logging industry of Washington was at a practical standstill. The mill workers of Tacoma, Seattle, Everett, and other towns joined with similar demands. During July 1917, every mill on the Seattle water front was tied up. In the Grays Harbor shipyards the men refused to handle ten-hour lumber.[56]

The short log strike continued simultaneously. Spokane was held the center of the infection. It harbored the headquarters of the Lumber Workers' Industrial Union, thereby blocking the suppression of the I. W. W. But Spokane was out of reach of the Idaho authorities. Hence economic pressure was in order and the Idaho merchants declared a boycott against Spokane wholesalers to force them to bring their city authorities to reason.[57]

Early in August the Washington State Council of Defense interfered. The strike was hampering the production of lumber needed by the government's ship and aëroplane construction programs. It invited twenty-one leading lumbermen to a conference. The lumbermen refused to grant the eight-hour day, due to competition, and laid the whole blame on the I. W. W.[58] Secretary of War Baker and Governor Lister of Washington appealed to the lumbermen to grant eight hours and time and a half for overtime, the strikers' chief demands. Governor Lister went as far as pronouncing the strikers' demands just and reasonable. The operators remained obdurate.[59]

East of the Cascades the pressure on Spokane finally brought results. The headquarters of the Lumber Workers' Industrial Union No. 500 was raided by the militia and the secretary and

[53] *Ibid.*, p. 71.
[54] *Solidarity*, July 21, 1917; Seattle *Post-Intelligencer*, July 12, 1917.
[55] Seattle *Post-Intelligencer*, July 28, 1917.
[56] State of Washington, *Bureau of Labor Eleventh Biennial Report*, 1917–18, pp. 65–67.
[57] Seattle *Post-Intelligencer*, July 28, 1917.
[58] *Ibid.*, August 8, 1917.
[59] *Ibid.*, August 17, 1917.

twenty-six others were arrested. The Spokane Labor Council demanded their release.[60] All but ten were released.[61]

In September the strike committee of the I. W. W. in charge of the strikes on either side of the Cascades, due to dwindling funds, became fearful of a stampede back to work and transformed the contest to a "strike on the job." [62] That meant doing eight hours work in ten, or hiring out for ten hours and leaving the job after working eight. The crews were usually discharged, but the policy was to leave a few for the instruction of the next crew by encouraging them to play the rôle of loyal employees.[63] The "strike on the job," by forcing a rapid labor turnover, multiplied costs and was an effective weapon in reducing production.[64]

In October Colonel Brice P. Disque, of the Spruce Division of the United States Army Signal Corps, was detailed by the War Department to investigate the spruce production situation. Colonel Disque recommended drastic changes in industrial relations, specifically the organization of both employer and employee upon a patriotic basis. With the approval of the War Department he launched the Loyal Legion of Loggers and Lumber men, an organization of employers and employees with the purpose of co-operating with the government for a maximum output of lumber and suppression of seditious activity. The spruce territory was divided into seven districts and commissioned officers detailed in each to visit lumber camps and enroll the men in the Loyal Legion. The organization was at once a success.[65] When it was three months old it had a membership of 35,000. It installed a complete system of collective dealing between employer and employee. A local united all members in each Loyal Legion camp. A chairman, vice chairman, and secretary were chosen by ballot. Locals were gathered into district organizations. The West Coast territory was divided into eight districts and later three districts were added in the short log country. At district conventions employers and employees were given equal voting power. Each side

[60] Idaho *Daily Statesman*, August 22, 1917.
[61] *Industrial Worker*, August 29, 1917.
[62] Seattle *Post-Intelligencer*, September 17, 1918.
[63] Lumber Workers' Industrial Union No. 500, *Bulletin*, September 1917, March 1918.
[64] Howd, *op. cit.*, pp. 75–76.
[65] Crumpacker, Capt. M. E., "History of Loyal Legion of Loggers and Lumbermen," State of Oregon, *Eighth Biennial Report of Labor Statistics and Inspector of Factories and Workshops*, 1916–18, p. 28.

elected a chairman who represented the district on the General Council. The General Council met at Portland on August 19–21, 1918, and drew up a constitution and a statement of aims. The organization refused to regard itself as a competitor of labor unions, but declared itself a purely patriotic organization for the emergency. In each productive unit, camp and mill, a committee of employees was set up with the right to appeal to the management from the decisions of the foreman. Failing agreement, the case went to the district council and then to the General Council. Final appeal could be taken by either side to an impartial tribunal of three not connected with the lumber industry, each side selecting one and the two choosing the third member, a Federal judge, if possible.[66]

As yet, however, the roots of the difficulty had not been reached. The eight-hour demands still went unsatisfied and the loggers and mill workers in the Legion were wondering and waiting. The Loggers Club of lumber operators in Eastern Washington and Northern Idaho urged Congress to enact a universal eight-hour law for the lumber industry.[67] The operators of Western Washington and Eastern Oregon were willing to grant eight hours upon guarantee by the government that the shorter day would become general in the lumber industry. In this region, however, matters did not brook further delay. The government's needs for spruce were so pressing that it was obliged to supplement the civilian labor force with signal corps troops.[68]

Finally the government cut the Gordian Knot. On February 27, 1918, Colonel Disque announced that on March 1, 1918, the lumber industry of the Northwest would go on an eight-hour basis.[69] The employers accepted Disque's eight-hour decree and the conference method as provided by the Legion machinery, but reiterated their uncompromising opposition to the closed shop.[70]

After the war the Loyal Legion of Loggers and Lumbermen shrank in membership from 125,000 in 1918 to 10,000 in 1922.[71] The menace of unionism was over and the Legion became a proponent of Welfare Capitalism. The Legion was in substance an

[66] Mittleman, *op. cit.*, p. 330; Gill, Robert S., "The Four L's in Lumber," *Survey*, May 1, 1920, p. 167; Howd, *op. cit.*, pp. 81–82.
[67] *West Coast Lumberman*, December 1, 1917, p. 27.
[68] *Ibid.*, December 15, 1917, pp. 20–22.
[69] *Ibid.*, March 1, 1918, p. 22.
[70] Howd, *op. cit.*, p. 81.
[71] *Ibid.*, pp. 89–90.

inter-company union and, since it was sponsored by government, also a precursor of the "Corporative State."

More in keeping with the Western tradition were the troubles in the copper regions of Arizona and Butte.

Copper mining and smelting in Arizona began in the seventies. Development was most rapid after 1903.[72] In 1917 the four copper districts of Arizona produced 28 per cent of the copper output of the country.[73]

The Western Federation of Miners was a factor in Arizona prior to 1910. Some of Moyer's bitterest enemies were in the Arizona locals. In 1916 the I. W. W. appropriated $2500 for work in Arizona. An office was opened in Phoenix.[74]

In May 1917 the Jerome local of the Metal Mine Workers' Industrial Union No. 800, of the I. W. W., and the local of Moyer's International Union of Mine, Mill and Smelter Workers in the same place went on strike for higher wages. The International also demanded the check-off. The strikes were simultaneous but not joint moves. The strike was speedily settled but instead of the check-off the Company proposed a grievance committee of its employees regardless of union affiliation.[75]

On July 2 a strike similar to Jerome's broke out in Globe. About 7000 men were idle as a result of the walkout.[76] The demands of the International dealt with union recognition and guarantees against discriminatory discharge.[77] Two Federal arbitrators arrived. Also Federal troops were sent to Globe to regulate picketing.[78]

In the Clifton-Morenci-Metcalf district a shutdown occurred at the same time on the issue of higher wages and the abolition of the contract system. Here the unions were locals directly affiliated with the Arizona Federation of Labor.[79]

On July 7 the I. W. W. local called another strike in Jerome. The International was opposed to this strike. On July 10, a citizens' committee of several hundred arrested and deported 67

[72] Van Barneveld, Charles E. and Leaver, Edmund S., *Leaching Non-sulphide Copper Ores with Silver Dioxide*, United States Bureau of Mines, Technical Paper 312, pp. 3–30.

[73] "Report of President's Mediation Commission," *Reports of Department of Labor*, 1918, p. 14.

[74] *Solidarity*, March 3, 1917.

[75] *Industrial Worker*, June 23, 1917.

[76] *Santa Fe New Mexican*, July 3, 1917.

[77] *Miners' Magazine*, July, 1917, p. 5.

[78] *Santa Fe New Mexican*, July 6, 1917.

[79] *Ibid.*, July 2, 1917.

I. W. W. strikers. Over a hundred members of the International were arrested at the same time but released upon the representations of the International organizer on the ground.[80]

The deportations at Jerome were, however, completely overshadowed by the wholesale deportations which took place at Bisbee on July 12. In Bisbee only the I. W. W. local figured in the strike which began early in July. Here the demands emphasized methods of wage payment.[81]

On July 12 business men from neighboring towns came to help the Bisbee business men to round up the strikers. The move was sponsored by the local Loyalty League. A posse of 1200 was formed, deputized by the sheriff. The round-up was most systematic. Each person on the street was questioned and arrested if suspected to be an I. W. W. striker or sympathizer. People were also arrested in their homes. A tight censorship kept information about the round-up from getting out. When the round-up was complete, the sheriff gave the arrested men the option of returning to work or be deported. Only three or four out of nearly 1200 took up the offer. The prisoners were loaded on a train of box and cattle cars in groups of fifty. Guarded by over two hundred deputies, the train was taken to Columbus, New Mexico, 174 miles away. As the authorities at Columbus refused the unexpected guests, and threatened those in charge with imprisonment, the train was taken back and the prisoners abandoned at a desert station and left to shift for themselves. A company of soldiers was stationed there but they could supply the deportees with no food, only with water.[82] After thirty-six hours in the burning desert Federal government authorities took the men back to Columbus, lodged them in a detention camp, and supplied them with food.[83] The Loyalty League in Bisbee improved upon their work on July 12 by deporting the lawyer sent into Bisbee by the general office of the I. W. W. to look after the interests of the deported.[84]

The deportees in Columbus demanded that the Federal government guarantee their safe return to Bisbee.[85] But no such pro-

[80] *Miners' Magazine*, August 1917, p. 5; *Santa Fe New Mexican*, July 10, 1917.
[81] *Industrial Worker*, July 21, 1917.
[82] Article by Press Committee of Deportees in *Solidarity*, July 28, 1917.
[83] *Santa Fe New Mexican*, July 14, 1917.
[84] *Solidarity*, August 4, 1917.
[85] *Santa Fe New Mexican*, July 23, 1917.

tection was offered. The deported men stayed in the detention camp until the middle of September when the camp was disbanded due to the refusal of the Federal government to furnish rations. When some of them ventured to return to Bisbee on their own, they were again arrested and after an examination some with families were permitted to stay and others ordered out.[86] Almost a year after the deportations, indictments were returned against twenty-one of the leaders of the Loyalty League by a Federal grand jury.[87] None was convicted.

In October 1917 the President's Mediation Commission brought about a settlement of the strikes in the Globe-Miami and the Clifton-Morenci districts. In Bisbee and Jerome the strikes were ended by the deportations. Of the strikes which have been denounced as pro-German and seditious the Commission said that they "appeared to be nothing more than normal results of the increased cost of living, the speeding up processes to which the mine management had been tempted by the abnormally high market price of copper." [88] The output of gold, silver, copper, and zinc of the Arizona mines in 1917 had a total value of $214,000,000, an increase of more than $23,000,000 over the value output of the preceding year.[89]

The settlement by the President's Mediation Commission established grievance committees elected by the men by secret ballot. Both union and non-union men selected an election inspector. Union men had the right of being represented in a dispute by a union officer, and non-union men could also choose others to represent them. Failure to adjust a grievance left the road open to arbitration. All strikers were given five days to return to their jobs and were promised re-employment as fast as possible. The settlement expressly excluded from its benefits those who had spoken disloyally of the government or who were members of an organization which refused to recognize contracts. This placed the I. W. W. beyond the pale. The agreement was for the duration of the war.[90]

The men complained that the companies around Globe and

[86] *Ibid.*, September 13 and 15, 1917.
[87] *Miners' Magazine*, June 1918, p. 1.
[88] Bruere, Robert W., "Copper Camp Patriotism," *Nation*, February 21, 1918, p. 202.
[89] State of Arizona, *Sixth Annual Report of the State Mine Inspector*, 1917, pp. 5–6.
[90] *Miners' Magazine*, November 1917, p. 2.

Miami really failed to abide by their agreement not to discriminate in rehiring.[91] Unionism of either variety failed to survive the experiences of 1917.

As we have seen, the internecine struggle amongst the Butte miners in 1914 destroyed all union control. The Butte miners overthrew the old union as Company controlled, but the new, independent union of radical tendencies could not maintain itself. A terrible mine disaster in June 1917, in which 164 miners were smothered to death, gave the impetus to a new union movement and to a strike lasting several months.[92]

Following the catastrophe, the new union, the Metal Mine Workers' Union, called the miners to strike for an increase from $4.75 to $6.00 a day, the abolition of the "rustling" card, and the observance of mining laws. Soon all the mines in Butte were involved.[93] The companies denounced the new union as "seditious" and refused to meet its grievance committee.[94] Simultaneously the electricians were on strike against the Montana Power Company. The electricians employed in the mines struck and demanded that the copper companies bring pressure on the Montana Power Company to settle.[95] The Metal Mine Workers' Union considered affiliating with Moyer's International Mine, Mill and Smelters' Workers' Union, but as it involved giving up the strike and joining as individuals, the plan was given up.[96]

On July 13 the electricians voted to return to work.[97] The Anaconda Copper Company agreed to changes in the "rustling" card system. Instead of waiting until the Company had investigated his record, an applicant was to be given a temporary card entitling him to seek a job at any of the Company properties. If his record was satisfactory he received a permanent "rustling" card which he retained and which held good on all successive jobs.[98] A new wage schedule with a maximum of $6.00 a day when copper reached 31 cents a pound, was announced.[99]

The terms offered by the companies were rejected.

[91] *Miners' Magazine*, August 1918, p. 1.
[92] Merz, Charles, "The Issue in Butte," *New Republic*, September 22, 1917, p. 215; *Anaconda Standard*, June 9–12, 1917.
[93] Merz, *op. cit.*, p. 215.
[94] *Anaconda Standard*, June 13, 1917.
[95] *Miners' Magazine*, October 1917, p. 5.
[96] *Anaconda Standard*, July 10–12, 1917; *Miners' Magazine*, August 1917, p. 3.
[97] *Anaconda Standard*, July 14–16, 1917.
[98] *Ibid.*, July 22, 1917; see Chapter XXII.
[99] *Anaconda Standard*, July 25, 1917.

On August 1, five men invaded the room of Frank H. Little, an organizer and member of the General Executive Board of the Industrial Workers of the World, dragged him from his room at the point of a gun, and hanged him to a railroad trestle outside of the city. On his garments a warning with the numbers 3–7–77 of the old *vigilantes* was pinned. The atrocious murder of Little shocked the workers of Butte, and his funeral was attended by thousands.[100]

On September 10 Federal troops were brought in to patrol the streets leading to the mines,[101] and two days later the members of Moyer's small organization returned to work.[102]

The Metal Mine Workers' Union remained out on strike, but gradually the men drifted back to work. On December 18, 1917, the strike was officially ended.[103]

[100] *Ibid.*, August 2, 1917; *Solidarity*, August 18, 1917.
[101] *Anaconda Standard*, September 11, 1917.
[102] *Ibid.*, August 13, 1917.
[103] State of Montana, *Third Biennial Report of Department of Labor and Industry*, 1917–18, p. 21.

CHAPTER XXXII

THE WAR-TIME BALANCE SHEET

With the entrance of the United States into the war the problem of labor became the paramount problem. The war industries, spurred on by war-time profits, staged a reckless competition for labor. The American Federation of Labor had shown its readiness to come to the government's assistance. Organized labor was strategically placed not only for giving support to the government's decision to make war but also to prevent chaos on the labor market. In 1916 Samuel Gompers accepted a place on the Council of National Defense, and when America's entry into the war seemed inevitable, a conference attended by 148 representatives of 79 affiliated international unions, the Executive Council of the American Federation of Labor, and representatives from five unaffiliated unions and from five Departments met on March 12, 1917, and voted unqualified support to the government in the event of war.[1]

To mobilize labor behind the war and to neutralize the socialist opposition,[2] the American Alliance for Labor and Democracy, of labor leaders, social reformers, and pro-war socialists was formed. The Alliance was born in New York City in June 1917 to oppose the pacifist People's Council, and in September was expanded into a national body. The Alliance in its pronouncement against the opponents of the war in the labor ranks made unstinted use of the terms of opprobrium employed by the other patriotic organizations of the time.[3]

The first strictly labor problem that the Federation aided the government in settling, was in ship and cantonment building. The labor committee of the Council of National Defense had failed to obviate serious friction between contractors and labor.[4] In June 1917, by agreement between the Secretary of War and President Gompers, a Cantonment Adjustment Commission of

[1] American Federation of Labor, *Proceedings*, 1917, pp. 73–78.
[2] See Chapter XXXIII.
[3] American Federation of Labor, *Proceedings*, 1917, pp. 94–100.
[4] Marshall, L. C., "The War Labor Programme and Its Administration," *Journal of Political Economy*, May 1918, p. 427.

three, a representative of the Secretary of War, of the American Federation, and of the public, was created. This first agreement between labor and the United States government granted union wages and other union conditions prevailing in the vicinity of the job but stipulated the open shop.[5]

To assure freedom from strikes in the shipbuilding industry now enormously expanded was an exigency second to none. The shipyards lacked proper facilities for their swollen labor forces. There was a shortage of housing and much of it was very unsatisfactory. To aggravate matters wages lagged behind other war industries. In August 1917 the government, the American Federation of Labor, and the unions involved in shipbuilding, exclusive of the carpenters, signed an agreement creating the Shipbuilding Labor Adjustment Board. In December 1917 the agreement was amended to include a board of three to adjust disputes, one to represent the Navy and the Shipping Board Emergency Fleet Corporation, one the American Federation of Labor, and one the public.

The Board was confronted with serious labor difficulties. The men demanded substantial wage increases, no discrimination against union men, and the elimination of "ten-hour lumber." On the Pacific Coast the international union officers proved unable to restrain the local men from striking. The Board granted the Pacific Coast shipyards employees an increase of 31 per cent over their wages in June 1916. The unrest in the Eastern shipyards was similarly allayed.[6] Peace prevailed generally in the shipyards until the post-Armistice differences in Seattle which culminated in the Seattle general strike.[7]

With America in the war, the seaman's trade became highly strategic. On May 8, 1917, a tentative agreement was made between the United States Shipping Board, the Atlantic Coast Steamship Owners, and the International Seamen's Union. The union was granted a wage scale for all classes under its jurisdiction, in addition to a bonus of 50 per cent to those employed upon vessels passing through the war zone and $100.00 compensation for the loss of personal effects caused by war accidents. In return the seamen relaxed their apprenticeship regulations, agree-

[5] Bing, Alexander M., *War Time Strikes and Their Adjustment*, Dutton, New York, 1921, pp. 14–15; American Federation of Labor, *Proceedings*, 1917, pp. 82–86.
[6] Bing, *op. cit.*, pp. 20–25.
[7] See Chapter XXXIV.

ing to permit a stipulated number of boys aboard ship and to teach them seamanship.[8] The Secretaries of Commerce and Labor invited representatives of the shipowners of the Atlantic, Pacific, and Great Lakes to meet in August with the representatives of the Seamen's Union and of the United States Shipping Board.[9] The meeting carried out the intent of the May agreement and expanded its application. It selected a standing committee representative of the several groups, and issued a call to young men to enlist in the merchant marine.[10]

The Lake Carriers' Association refused to attend the joint conference.[11] It feared that its presence would be tantamount to recognizing the Seamen's Union which it had driven from its vessels in 1909.[12] In September the union decided to compel the Association to acknowledge its right to represent the seamen on the Lakes. The membership was asked to vote for the demands of wage increases for the several classes and for a strike to force recognition.[13]

On September 25, the referendum vote having carried, the union made its demands public and notified the United States Shipping Board and the United States Department of Labor that the strike would begin October 1. The demands called for the total abandonment of the "welfare plan" and of the use of "discharge books" and for the Association's unreserved cooperation with the government and the unions. The United States Shipping Board, acting as mediator, only succeeded in moving the Association to replace the "discharge book" by a certificate.[14] On recognition it remained adamant. The Association also ignored the shipping conference convoked by the government in November 1917 and the National Marine Conference in April 1918.[15]

In the summer of 1918 the Seamen's Union again moved to compel recognition as well as discontinuance of the "certificate." A membership poll in July gave a majority in favor of a strike.

[8] International Seamen's Union, *Proceedings of 21st Annual Convention*, 1917, pp. 24–25.
[9] *Coast Seamen's Journal*, August 22, 1917, p. 1.
[10] International Seamen's Union, *Proceedings of 21st Annual Convention*, 1917, pp. 31–32.
[11] Bing, *op. cit.*, p. 36.
[12] See Chapter XV.
[13] International Seamen's Union, *Proceedings*, 1917, p. 33.
[14] *Ibid.*, pp. 55–57.
[15] *Ibid.*, 1919, p. 35.

The strike was set for July 28.[16] Again the Shipping Board was forced to intervene. It ordered the Lake Carriers' Association to confine the certificate under its "Welfare Plan" to a mere certificate of membership, to be neither in book form nor enclosed in a container, and furthermore the man to whom it was issued could not be required to deposit it with the ship's officer, nor to show it when being hired. No discrimination for membership or non-membership in any union was to be permitted.[17] The independent vessel owners on the Great Lakes signed up with the union early in August 1918.[18] Thus the seamen's campaign fell short of its objective.[19]

Another industry in which the war offered the union an opportunity to recapture, if only for a few brief years, its major territory was meat packing, virtually free of unionism since 1905. The Amalgamated Meat Cutters and Butcher Workmen of North America launched an organization drive in the packing centers of the Middle West with the aid of the Chicago Federation of Labor early in 1917.[20] By November the union was ready to present demands. These were increased pay, a basic eight-hour day, and the right of collective bargaining. A National Conference Committee representing also the mechanical trades demanded a conference with the packers through a sub-committee of John Fitzpatrick, President of the Chicago Federation of Labor, William Z. Foster, at that time an organizer for the Brotherhood of Railroad Carmen, and Dennis Lane, an organizer for the Amalgamated.[21]

The packers' reply was a categorical refusal and discharge of men suspected of union membership. Appeal was made to the Executive Council of the American Federation of Labor. The Federation was able to gain for the packing house workers' committee a hearing before Secretary of War Baker and Secretary of Labor Wilson. Under government pressure the packers agreed to the appointment of an administrator to have charge of labor

[16] *Coast Seamen's Journal*, July 31, 1918, p. 6.

[17] "Marine and Dock Labor," *Report of the Director of the Marine and Dock Industrial Relations Division*, United States Shipping Board, 1919, pp. 23–26.

[18] International Seamen's Union, *Proceedings*, 1919, p. 33.

[19] After the end of the war the government withdrew from the labor situation on the Great Lakes. In 1921, the Association drastically reduced wages, and early in 1922 reintroduced the "continuous discharge book." In August 1922 a strike was voted but a partial restoration of the wages headed it off. (Albrecht, *op. cit.*, pp. 64–66.)

[20] *Butcher Workman*, April 1922.

[21] *Ibid.*, September 1919.

relations for the industry.[22] Federal Judge Samuel Alschuler became the Administrator.[23]

On February 17, 1919, Judge Alschuler rendered his first award. He granted the basic eight-hour day and a graduated scale of wage increases.[24] He awarded additional increases on December 1, 1919.[25] Another wage raise was awarded on January 5, 1920.[26]

In April 1920, Judge Alschuler handed down another award which increased the wages of those who had received no increase under the terms of the December 1918 awards, three cents an hour. At the same time the agreement between the packers, the union, and the United States government was extended until one year after the signing of the peace treaty.[27] On December 5, 1920, the Administrator allowed additional wage increases of 5 per cent retroactive to July 5, 1920.[28] The power of the Administrator carried over for some time after the government had ceased to be the chief customer of the packing industry. Soon thereafter the union was to face the big packers, unaided by government.[29]

On December 28, 1917, President Wilson took over the operation of all railroad and water transport lines in the United States, in accordance with the authority granted to him by Congress in the Army Appropriation Act of August 29, 1916. In February 1918, Congress limited government control of the railroads to 21 months after the proclamation of peace by the President, and provided for a rate of compensation to railroad investors based on average earnings for a three year period ending June 30, 1917. The Director-General of the Railroads laid down the government's railroad labor policy in a series of general orders. No discrimination for membership or non-membership in a labor organization was to be allowed. In February 1918 he created a Division of Labor of the Railroad Administration to adjust differences between officials and employees.[30]

A Railroad Wage Commission had been appointed in January to consider wages of all classes of railroad labor. Later it became a permanent Board of Railroad Wages and Working Conditions.[31]

[22] *Ibid.*, December 1919.
[23] *Ibid.*, February 1918.
[24] *Ibid.*, February 1919.
[25] *Ibid.*, December 1919.
[26] *Ibid.*, February 1920.
[27] *Ibid.*, May 1920.
[28] *Ibid.*, December 1920.
[29] See Chapter XXXVII.
[30] *Public Acts, Proclamations by the President Relating to the United States Railroad Administration and General Orders and Circulars Issued by the Director-General to July 1, 1918*, pp. 6, 27, 38.
[31] *Ibid.*, p. 7.

Cases of conflicting interpretation of the orders of the Director-General were decided by three series of boards of adjustment with equal representation of management and unions: one for the train service group, another for the shop crafts, and a third for the miscellaneous group.[32]

These boards discharged their duties with a minimum of friction. At the close of the war, the question of public versus private ownership of railroads became a burning political issue. The organized railroad employees favored retention of the railroads by government and advanced the "Plumb Plan." This plan proposed government purchase of the roads and operation by a tripartite board representative of the government, management, and employees. One-half of the net earnings was to go to the government to form a sinking fund to reduce the bonds; the other half to the employees and executives as dividends on wages.[33] The railroad brotherhoods as well as the Railway Employes' Department made repeated appearance before Congressional Committees in support of the Plumb Plan. Congress, however, listened to the advocates of the return of the roads to their private owners, which was effected by the Transportation Act of 1920.

The war-time board whose activities have left the most permanent impress on industrial relations was the National War Labor Board. Formed in March 1918 by joint agreement between the organized employers and labor at the government's prompting and instructed to apply "principles and policies" for which labor had long contended, its well meant activities resulted in an impetus to company unionism. It was made up of five persons representing the American Federation of Labor and five representing the National Industrial Conference Board, with Frank P. Walsh, formerly chairman of the United States Commission on Industrial Relations, and William Howard Taft co-chairmen.[34]

The War Labor Board exercised jurisdiction over all fields of production needed for the successful prosecution of the war except those coming under another Federal adjustment board.[35] In the 16 months of its existence, ending in August 1918, it heard

[32] *Ibid.*, p. 5.

[33] Testimony of Glenn E. Plumb before House Committee on Interstate and Foreign Commerce, H. R. 4378, 66th Congress, 1st Session, Vol. I, pp. 600–627.

[34] *National War Labor Board*, Bulletin of the U. S. Bureau of Labor Statistics, No. 287, 1922, pp. 10–13, 34.

[35] *Ibid.*, p. 13.

1251 controversies and made awards affecting 1100 establishments employing 711,500 employees. In practice its decisions affected a larger number, as on occasions they were extended to plants not in the original case.[36] Its devotion to collective bargaining as a principle led it to sponsor employee representation schemes where no unions existed. On unionism and collective bargaining the original understanding between the Federation and the National Industrial Conference Board decreed that employers must not discriminate against employees for union membership and unions "in the exercise of their right to organize . . . were not to use coercive measures of any kind to induce persons to join their organizations, nor to induce employees to bargain or deal therewith." With this as a basis the formation of shop representation committees appeared as a constructive step on permissible ground but with the strong possibility that it would lead to actual collective bargaining as understood by unionists. In the atmosphere of optimism and rapid union expansion this expectation was scarcely questioned even in union circles. Accordingly the Board worked out a standard employee representation plan and promoted it far and wide. It was first instituted at the Pittsfield, Massachusetts, plant of the General Electric Company. Elected department committees dealt with departmental management, and the chairmen of such committees composed the general plant committee which dealt with general management. A representative of the War Labor Board supervised the elections.[37] One hundred and twenty-five such plans were introduced by the Board. At first fearful of this plan as the thin opening wedge of unionism, employers soon recognized its usefulness as a substitute for unionism amenable to their control. The Youngstown Sheet and Tube Company, the International Harvester Company, and the Goodyear Tire and Rubber Company were among the larger industrial concerns which did not wait to be ordered by the Board to install employee representation plans.[38] After the Armistice the Board's power to improve labor standards vanished, but the legacy of its work for collective dealing between employer and employees remained to plague the labor movement. Many of the "converted"

[36] *Ibid.*, pp. 19–20.

[37] *Ibid.*, pp. 37–41; *Experience with Works Councils in the United States*, Research Report No. 50 of the National Industrial Conference Board, New York, 1922, p. 15.

[38] *Collective Bargaining through Employee Representation*, National Industrial Conference Board, New York, 1933, pp. 7–11.

employers, like the Bethlehem Steel Company,[39] hastened to "readjust" the plan to their own satisfaction. But the general framework was permitted to stand.

However at the end of the war the future consequences of these well-meant ministrations by the government were little understood and scarcely foreseen. Whatever the future held for the labor movement, there was the tangible gain in membership due in large part to the removal by the government of the barriers to unionism created by industry during the preceding decade and a half. The membership of the American Federation of Labor increased from 2,072,702 in 1916 to 2,371,434 in 1917; to 2,726,478 in 1918; and to 3,260,168 in 1919.[40]

The growth was phenomenal in industries directly active in war production. In transportation the total union membership rose from 623,300 in 1916 to 1,256,100 in 1920. The seamen's union rose from 21,700 in 1916 to 65,900 in 1920 and to 103,300 in 1921; the longshoremen's union from 25,000 in 1916 to 74,000 in 1920; the maintenance of way employees' union from 8900 in 1916 to 54,200 in 1919; the railway clerks' brotherhood from 17,800 in 1918 to 186,000 in 1920; the teamsters' union from 59,000 in 1916 to 110,800 in 1920. The meat cutters' union increased from 7300 in 1916 to 65,208 in 1920. In the metal trade unions the growth began earlier as a result of America's munitions trade with the Allies. The machinists numbered 71,900 in 1915, 112,500 in 1917, and 330,800 in 1920. The boiler makers numbered 31,200 in 1917 and 103,000 in 1920; the blacksmiths 12,000 in 1917 and 48,300 in 1920. In the building group the carpenters gained from 231,700 in 1917 to 331,500 in 1920; the electricians had 41,500 in 1917 and 139,200 in 1920.[41]

The American Federation of Labor had its own blue print of

[39] The employees in the machine shops of the Bethlehem Steel Company had struck in 1910 against the introduction of the Taylor System of scientific management. (*Report on Strike at Bethlehem Steel Works, South Bethlehem, Pennsylvania*, 61st Congress, 2d Session, Senate Document No. 521.) In 1917 and 1918 labor troubles resulted in an investigation by the National War Labor Board. In its award of July 31, 1918, the Board stated that "the main cause of the dissatisfaction is a bonus system so complicated and difficult to understand that almost one-half of the time of the hearings was consumed in efforts to secure a clear idea of the system. The absence of any method of collective bargaining between the management and the employes is another serious cause of unrest, as is also the lack of a basic guaranteed minimum wage rate." (*The National War Labor Board*, Bulletin of the United States Bureau of Labor Statistics No. 287, p. 139.)

[40] American Federation of Labor, *Proceedings*, 1919, p. 62.

[41] *Ibid.*, 1926, pp. 30–31; Wolman, *op. cit.*, pp. 110–116.

the "new era" which was to follow the war for the preservation of democracy. Its Reconstruction Program demanded the right to organize, an American standard of living with reasonable hours of labor, equal pay for women, the abolition of child labor, the right of public employees to organize, the government ownership of public and semi-public utilities, the development of water power and water transportation by government, a graduated tax upon usable land above the acreage cultivated by the owner, a guarantee of free speech, improved workmen's compensation laws, drastic limitation of immigration, a progressive taxation of incomes and inheritances and a tax upon land to force owners to put it back into use, the development of state colleges and universities, municipal, state, and federal employment agencies under joint control of employers and trade unions, improved housing, opposition to militarism, and a generous treatment of the returned soldiers and sailors.[42]

The "program" was no class war document. It breathed the expectation of advance by consent. In actuality what lay immediately ahead was militancy, "insurgency" and the "American Plan." The new membership was eager for speedy results and its militancy was aroused by the conviction that the war had brought to the other classes vast economic conquests and to them a shrunken real wage. Employers saw the Red Revolution behind the demand for collective bargaining and bankruptcy behind each wage demand.

[42] *American Federationist*, February 1919, pp. 129–141.

CHAPTER XXXIII

THE WAR AND ANTI-RADICAL CAMPAIGNS

In the lumber regions of the Northwest and in the copper area of the Southwest the war brought the government into the struggles between the Industrial Workers of the World and the employers as an arbiter armed with the economic power of a principal consumer. In the Northwest the government imposed peace by anticipating the Mussolinian corporations in the Loyal Legion of Loggers and Lumbermen. In the copper regions in the Southwest and Montana the government gave a *carte blanche* to the unofficial violence of the *vigilantes* mitigated by whatever comfort the deported copper miners could derive from the *post factum* condemnation by the President's Mediation Commission. In each situation the charge of disloyalty to the government in war time played a part. Yet the charge was only a means of arousing hostile public feeling in what was strictly an industrial conflict. In addition, however, the war loosed an anti-radical crusade which, while nurtured from the same roots of industrial conflict, operated in its open manifestations as a campaign to put down sedition. The Mooney case in San Francisco, antedating the war by eight months, was the opening event in this campaign to use the patriotic emotions of the people, not just to put down sedition and crime which were the official objectives of the movers in the case, but to strike a telling blow for the "open shop."

On June 1, 1916, the harbor of San Francisco was tied up by a strike of 4000 longshoremen and 600 boatmen, the employers claiming a breach of contract.[1] The strike was accompanied by the usual violence and gave the Chamber of Commerce the desired opportunity to intervene.[2] A mass meeting of 2000 business men pledged itself to uphold the open shop. A Law and Order committee, with the president of the San Francisco Chamber of Commerce at its head, was set up and $340,000 were subscribed on the spot towards a $1,000,000 fighting fund. Captain Robert Dollar, of the Dollar Lines, and other water front employers, old enemies

[1] *San Francisco Chronicle*, June 2, 13, 1916.
[2] *Ibid.*, June 22, 1916.

of unionism and directly involved in the current strike, were leading spirits.[3]

In the midst of the water front strike a tie-up in the urban transportation system threatened. The street car men had lost their union in 1907 when they were outmaneuvered by Patrick Calhoun.[4] In 1915, Thomas J. Mooney, a molder by trade and a radical local labor leader, volunteered to William D. Mahon, president of the Amalgamated Association of Street and Electric Employees of America, to organize the employees of the United Railways of San Francisco. Mahon accepted, but his support was slow, the first remittance to Mooney, of $200.00, arriving in June 1916.[5] Mooney was a friend of Alexander Berkman, then publishing *The Blast*, an anarchist fortnightly, in San Francisco.[6] Mooney was also secretary of the International Workers' Defense League, organized for the defense of David Caplan and Matthew Schmidt arrested in connection with the McNamara dynamiting and whose trials dragged into 1915. The United Railways soon learned of Mooney's plan to organize its employees, and gave a warning by posted notices that joining the union would lead to discharge. On July 13 the Company reported that its towers had been dynamited three days earlier without offering an explanation for the delay in giving out the information.[7] Mooney called a strike on July 14, but received practically no response.[8] Mooney charged that Israel Weinberg, a member of the executive board of the Jitney Bus Drivers' Union, and Warren K. Billings, a member of the Boot and Shoe Workers' Union, had declined an offer of $5000 by the chief investigator of the United Railways on July 17 to implicate him in the dynamiting of the Company's towers.[9]

In the summer of 1916 the preparedness campaign was in full swing. It was carried on through meetings and parades. In San Francisco this movement was in the hands of the Pacific Coast Defense League, led by anti-union employers. Organized labor refused to participate in the parade, the San Francisco Labor

[3] *Ibid.*, July 11, 1916.
[4] See Chapter VII.
[5] *Motorman and Conductor*, September 1916, pp. 29–32.
[6] *The Blast*, April 1, 1916, p. 10.
[7] *Ibid.*, October 15, 1916, pp. 4–5.
[8] *San Francisco Chronicle*, July 15, 1916.
[9] Mooney, Thomas J., "The San Francisco Frame Up," *International Molders' Journal*, April 1917, p. 254.

Council, the Water Front Workers' Federation, and the Building Trades Council being of one mind.[10] The parade was a disappointment to its promoters, for instead of the expected 100,000 marchers only 22,000 marched, according to *Organized Labor*, and even the pro-preparedness *Chronicle* could count no more than 51,000. *Organized Labor* reported that the parade was greeted in silence all along the way.[11]

While the parade was marching down Market Street, a bomb exploded, killing eight and wounding 40. Anonymous threats of violence had been made, but were ignored. The city was in an uproar and heavy rewards for the arrest of the guilty were posted. The Law and Order Commitee of the Chamber of Commerce, set up, as we have seen, at the meeting of 2000 business men on the occasion of the longshoremen's strike, called a mass meeting. On July 26, Warren K. Billings was arrested as a suspect.[12] The papers also carried the information that a world-wide search for Thomas Mooney was on foot. Mooney, who was on a vacation with his wife, telephoned to the San Francisco police offering to give himself up, but the police wanted him arrested, and brought to San Francisco, under guard.[13] In addition to Mooney's wife, Edward D. Nolan, a leading member of the San Francisco machinists' union, and Israel Weinberg of the Jitney Bus Drivers' Union were arrested and charged with the preparedness day crime.[14]

Mooney's anarchist friends were first to come to his aid. *The Blast* was raided, and its publisher and editor, Alexander Berkman, and his co-workers were severely questioned by District Attorney Charles Fickert, but no arrests were made. Berkman revived the International Workers' Defense League, and the first money, a donation of $200.00 came from Emma Goldman. Robert Minor, the cartoonist, became the chief publicity man.[15]

The first to be tried was Warren K. Billings. In 1913, as a lad of 19, he had been convicted of transporting dynamite during a linemen's strike, and sentenced to prison.[16] He was now convicted

[10] *Organized Labor*, May 20, July 15, 29, 1916.
[11] *Ibid.*, July 29, 1916; *San Francisco Chronicle*, July 23, 1916.
[12] *San Francisco Chronicle*, July 23–27, 1916.
[13] *Ibid.*, July 28, 1916; Mooney, *op. cit.*, p. 255.
[14] *San Francisco Chronicle*, July 28, 1916.
[15] Berkman, Alexander, "Planning Judicial Murder," *Mother Earth*, September 1916, pp. 602–603.
[16] Hunt, Henry T., *The Case of Thomas J. Mooney and Warren K. Billings*, New York, 1929, pp. i–iii.

of murder in the second degree, and sentenced to life imprisonment.[17]

The prosecution's case rested upon the theory that Billings and Mooney's wife met Mooney at a building overlooking the route of the parade and that Billings, with the bomb in a suitcase, ascended to the roof of the building with the intention of hurling it at the parade. But at the last minute the conspirators changed their minds, got into Weinberg's car, and drove down Market Street to the Stuart Street crossing, where Billings planted the bomb which later exploded.[18] The witnesses for the prosecution failed to agree as to where Mooney and Billings were stationed immediately before the explosion. As to the motive for their act, the district attorney merely pointed to their activities as labor agitators and insinuated German connections.[19]

Billings' conviction attracted little attention outside of San Francisco. In San Francisco, *Organized Labor*, the official organ of the San Francisco Building Trades' Council, though opposed to Mooney's radicalism, carried on an untiring campaign for the liberation of the five prisoners. The nation-wide publicity campaign of the defense had yet to hit its stride. The first large Eastern protest meeting was arranged by the United Hebrew Trades of New York City following an analysis of the testimony in the Billings case by Berkman.[20] W. Bourke Cockran, a leading New York lawyer and orator, after reading the transcript of the evidence in the Billings trial, offered to defend Mooney without fee.[21]

Mooney came to trial in January 1917. The defense was able to prove, by photographs taken during the parade, that Mooney and his wife were a considerable distance from the place of the explosion five minutes before it occurred. Thereupon the chief prosecution's witness in the Billings case changed his testimony and now asserted that time elapsed between the planting of the bomb by Mooney and Billings and the explosion. The State introduced a surprise witness, F. C. Oxman, an Oregon cattleman, who unhesitatingly identified Mooney as one of the men carrying a suitcase, presumably containing the bomb, saw them

[17] *San Francisco Chronicle*, September 24, 1916.
[18] Hunt, Henry T., *op. cit.*, pp. 68–70.
[19] *Ibid.*, p. 76.
[20] *Mother Earth*, December 1916, p. 699.
[21] *Organized Labor*, November 18, 1916.

deposit it at the place of the later explosion and then walk away leaving one man behind. The testimony of the Oregon cattleman decided the case for the prosecution. Mooney was found guilty of first degree murder and sentenced to be hanged.[22]

In the spring of 1917 the Mooney case was catapulted into world-wide prominence by a demonstration before the United States Embassy at Petrograd, Russia. The demonstrators cried out against the execution of "Mooni," and made the Mooney case a celebrated one.[23] Simultaneously, the *San Francisco Bulletin* produced new evidence in the form of letters by F. C. Oxman to a friend admitting having given perjured testimony for a consideration. The Law and Order Committee of the San Francisco Chamber of Commerce rushed to the aid of the prosecution. In a page advertisement it denounced the editor of the *Bulletin*, Fremont C. Older, as an anarchist.[24] Judge Franklin A. Griffin, who presided at the Mooney trial, was so impressed by the *Bulletin's* disclosure that he at once appealed to the Attorney General of the State to take steps for a retrial of the case. The Attorney General appealed to the Supreme Court of the State to send the case back to Judge Griffin for a new trial. The Supreme Court, however, insisted that it was bound by the official record and could not admit the new evidence.[25] Oxman was brought to San Francisco, tried for perjury, but was acquitted.

In July 1917, Mooney's wife was brought to trial and acquitted after the jury had deliberated 51 hours.[26] In August, District Attorney Fickert had Alexander Berkman indicted on a first degree murder charge as an accomplice in the preparedness day outrage.[27] Berkman who had remained in San Francisco many months after the explosion, now resided in New York. The trade union and radical groups pleaded with Governor Whitman against extraditing Berkman.[28] Berkman's indictment was evidently needed to give color to the official charge that the explosion was an anarchist plot. Governor Whitman refused to extradite.

Billings' conviction was upheld by the Supreme Court of Cali-

[22] Fitch, John A., "The San Francisco Bomb Cases," *Survey*, July 7, 1917, pp. 308–311; *San Francisco Chronicle*, February 10, 1917.
[23] *New Republic*, May 5, 1917, p. 8.
[24] *Organized Labor*, May 5, 1917.
[25] *The Scandal of Mooney and Billings*, pamphlet, New York, 1931, pp. 3–4.
[26] *Organized Labor*, July 28, 1917.
[27] *Mother Earth*, August 1917, p. 200.
[28] *San Francisco Chronicle*, October 3, 1917.

fornia, but the last defendant, Weinberg, was acquitted by the jury in 20 minutes in November 1917.[29] Nolan, the fifth defendant, had been released earlier for lack of evidence.

In January 1918 President Wilson's Mediation Commission reported that the evidence presented in the four San Francisco bomb cases "would shake confidence in the justice of the conviction of Mooney and Billings." The Commission gravely doubted the credibility of Oxman.[30] In March 1918 the California Supreme Court upheld Mooney's conviction, refusing to go outside the record. An appeal to the United States Supreme Court failed in November 1918. Mooney was to be hanged, but at the earnest solicitation of President Wilson, Governor Stephens commuted his sentence to life imprisonment.[31]

Mooney and Billings have remained prisoners, despite the conclusions of their innocence by a succession of Federal investigations and despite the continued unofficial movements for their liberation both in the nation and in California. The incarceration of these originally insignificant local labor agitators has become a symbol of the triumph of the open shop forces which began as the Law and Order Committee of the San Francisco Chamber of Commerce in 1916 and continued under various designations to the present time.

The Mooney case was the precursor on a local scale of a nation-wide campaign to suppress radical labor movements, following the entry of the United States into the war. That campaign centered mainly against the Industrial Workers of the World, who were doubly guilty, of a revolutionary ideology and of success in "organizing on the job" in the industries of the West. The most telling weapon was the charge of pro-Germanism and anti-war sabotage.

President Wilson appointed Judge Covington of the Supreme Court of the District of Columbia to investigate the organization activities of the I. W. W.[32] On September 5 simultaneous raids were made by agents of the Department of Justice on I. W. W. headquarters in Pittsburgh, New York, Boston, Baltimore, Detroit, San Francisco, Milwaukee, Los Angeles, Spokane, Seattle, Portland, Oregon, Omaha, Minneapolis, and Lincoln, Nebraska.

[29] *Survey*, December 8, 1917, p. 295.
[30] Committee on Public Information, *Official Bulletin*, January 28, 1918, pp. 14–15.
[31] *The Scandal of Mooney and Billings*, p. 4.
[32] *Chicago Tribune*, September 6, 1917.

Many private homes were also entered. Records and literature were seized.[33] One hundred and sixty-six members of the I. W. W. were indicted for violation of the Federal Espionage Act and arrests immediately began. The indicted included the General Secretary-Treasurer, William D. Haywood, all the members of the General Executive Board, the secretaries of the industrial unions, the editors of the English and foreign language papers, the leading writers and propagandists, active organizers, and practically all who had at any time played a more than ordinary rôle in the affairs of the organization.[34] These raids by agents of the Federal government were supplemented by arrests by local authorities and by unofficial suppression at the hands of mobs. Mob action was generally stimulated by preceding organizing activity by the I. W. W. In Fresno, California, the hall was raided and 25 arrested. Raids and arrests occurred throughout California and 135 were arrested. Many were released on writs of *habeas corpus*. But an explosion by unknown hands at the Governor's mansion in December led to another wave of arrests, mainly in and around Sacramento.[35]

The occurrences in the oil fields of Kansas and Oklahoma furnish an even more telling example. I. W. W. halls had been opened in a number of oil field towns. Early in November 1917, the hall at Tulsa was raided by the police. Seventeen members were arrested, tried, and ordered out of town. While escorted out, they were seized by a mob of masked men, driven to a secluded spot, beaten and tarred and feathered. Signs reading, "I. W. W. Don't let the sun set on you in Tulsa" appeared in local store windows.[36]

The convention of the Construction Workers' Industrial Union No. 573, I. W. W., meeting in Omaha was raided by Federal agents and local police and 64 were arrested. Thus a continuation of the organizing campaign in construction was rendered impossible.[37] Of these, 45 were held for more than a year.[38] Next the government gave its attention to the oil fields. I. W. W. halls in Augusta, Kansas, and Drumwright and Cushing, Oklahoma, were

[33] *Ibid.*, September 6, 1917.
[34] *Industrial Worker*, October 3, 1917.
[35] *The Silent Defense*, pamphlet, I. W. W., Chicago, 1919, pp. 13–15.
[36] *Kansas City Star*, November 11, 1917.
[37] *Omaha Bee*, November 14, 1917.
[38] *New Solidarity*, December 7, 1918.

raided, the secretaries and other active members seized and indicted. These halls were never allowed to reopen.[39]

Similar arrests were made in Idaho and Washington.[40] The authorities systematically hampered adequate defense. On December 20 the Seattle office of the Defense Organization was raided, all the records seized, and the staff arrested. These were later released on bonds.[41] The I. W. W. press was deprived of second class mailing privileges in addition to confiscation of separate issues. However, "defense bulletins" were permitted to circulate.[42]

The 105 arrested out of the 166 indicted at Chicago pleaded not guilty and were held under high bail. Of those arrested in the oil fields 35 were held and indicted on the same charge.[43] William D. Haywood, who was out under heavy bonds, estimated that during the first two months of 1918 about 2000 members of his organization were arrested,[44] although not all were held.

On the first of April the trial of the leaders indicted at Chicago began before Judge K. M. Landis. The indictment contained five counts. The first charged the defendants with conspiracy "to prevent, hinder and delay the execution of the Espionage Act, the Selective Service Act and other war acts." The second charged the defendants with conspiracy to injure citizens selling munitions to the government. The third count charged the defendants with conspiracy to induce draft eligibles not to register and soldiers to desert the army. The fourth count charged them with conspiracy to cause insubordination and disloyalty in the military and naval forces of the United States. The fifth count charged a conspiracy to execute a certain scheme to defraud employers of labor by circulating propaganda through the mails.[45]

The fifth count in the indictment was thrown out and the selection of the jury began. As a result of charges of jury tampering made by the prosecution, the jury panel of 200 was dismissed.[46] A new venire was ordered and the case resumed. On May 2 the jury had been selected.

[39] *Kansas City Star*, November 21, 1917.
[40] *Opening Statement of George F. Vanderveer in the Case of United States* v. *William D. Haywood*, et al., pamphlet, I. W. W., Chicago, 1918, p. 88.
[41] Seattle *Post-Intelligencer*, December 21, 1917.
[42] *Industrial Worker*, April 13, 20, 1918.
[43] *Defense News Bulletin*, January 12, 1918.
[44] *New York Call*, March 8, 1918.
[45] *Chicago Tribune*, September 30, 1917.
[46] *Ibid.*, April 7, 1918.

In the course of the trial it became plain that the I. W. W. as well as the individual defendants were at the bar of justice. Its entire history and philosophy were unfolded before the jury. The trial lasted more than four months. The charges against 13 of the defendants were dropped, leaving an even hundred with their fate in the hands of the jury on August 17, 1918. After one hour's deliberation the jury returned a verdict of guilty on all four counts.[47] On August 29 the defendants were given a chance to make their statements to the judge. The next day the sentences were pronounced. Fifteen received 20 years, 35 ten years, 33 five years, 12 one year and a day, and the small number left were given nominal sentences. In addition to serving their sentences in the Leavenworth Federal Penitentiary the defendants were fined the aggregate amount of $2,300,000.[48]

The defense organization expended $108,715, of which all but $15,000 came from members of the Industrial Workers of the World.[49]

To guard against a renewal of the activities of the I. W. W. the government took care to pick off the new leaders who came to replace the imprisoned ones. The trials of the imprisoned members of the I. W. W. distinct from the Chicago group went on in various localities through 1918. In December 1918, 46 of the Sacramento defendants came to trial. Fifty-one had been indicted, but five of the defendants had died while awaiting trial. The defendants had suffered greatly and they felt that their defense had been deliberately hampered. As a protest against their treatment and convinced that they would not get a fair trial in any event, 43 of the 46 refused to enter any defense. All were found guilty but the "silent" defendants were given heavier sentences, ranging from one to 10 years.[50]

In addition to the convictions in Federal courts at Sacramento and Chicago, several hundred members of the Industrial Workers of the World were convicted and sentenced to varying terms of imprisonment in other Federal and state courts.[51]

The effect of the arrests was not evident at first, but an exam-

[47] *Ibid.*, August 18, 1918.
[48] *Ibid.*, August 31, 1918.
[49] Duff, Harvey, *The Silent Defenders, Courts and Capitalism in California*, pamphlet, I. W. W., Chicago, 1919, p. 85.
[50] *Ibid.*, pp. 58, 62–63.
[51] *New Solidarity*, December 21, 1918.

ination of the history of the organization shows that the government had accurately calculated the effect upon the organization of the arrest of the leaders. If the government had set out not only to render the I. W. W. ineffective during the war but also to prevent its resurgence, it could not have performed its task with more thoroughness and completeness. The men indicted in Chicago were the ablest and most experienced leaders, veterans of many struggles. Their removal brought a less mature and less stable leadership to the helm. For three years prior to 1918 the I. W. W. had busied itself with "organizing on the job," operating in substance as a trade union with a set purpose and developed technique. The blow delivered to it by the government campaign of suppression engendered a crisis in leadership. Thereafter, under a new and inferior leadership, the I. W. W. lost its touch with realities and embarked upon fantastic courses.

The effect of the outbreak of the war on the Socialist Party was to infuse it with militancy and new vigor. On the eve of America's entry into the war the New York City socialists, typical of American socialists in general, took an anti-war attitude but rejected a more radical program formulated by Leon Trotsky, then sojourning on these shores prior to his return to Russia, and Louis Fraina, a socialist journalist. The Trotsky-Fraina draft urged resistence to recruiting, fomenting strikes against mobilization and conscription, and turning the war into a class war.[52] The official Party attitude was yet to be determined at the special convention at St. Louis on April 7. The Party leadership was obviously anti-war. A group of pro-war socialist writers and intellectuals hastened to put itself publicly in opposition.[53]

At St. Louis the convention divided into three groups. In the committee on "war and militarism" a majority was led by Hillquit. A more radical minority was headed by Louis Boudin, and John Spargo was a pro-war minority of one. The difference between the Hillquit and Boudin formulations was purely verbal as attested by the adherence by C. E. Ruthenberg, the future leader of the Communist Party, to the Hillquit report. That report called America's entry into the European war a criminal act. This war, as all wars in the capitalist era, was an outgrowth of commercial and financial rivalry, to be fought by socialists. Con-

[52] *New York Call*, March 18, 1917.
[53] *Ibid.*, March 13, 24, 30, 1917.

scription and censorship must be opposed to the bitter end.[54] The Spargo report recognized the war as an accomplished fact, urged its support but spoke of opposition to conscription and to the restriction of free speech and of utilizing the war to further the socialization of industry. On the vote in the convention the Hillquit report received 140 votes, the Boudin report 31, and Spargo's only five. The membership was permitted, however, to vote on both the Hillquit and Spargo reports. In order to put the Spargo report on the referendum ballot a number of Hillquit partisans signed it, thus giving it the required support.[55] In the referendum the several planks of the Hillquit program were indorsed by a vote ranging from 21,000 to 23,000 against 2800 to 4000. From April to June the Party membership grew from 67,788 to 81,172.[56] The pro-war socialists withdrew from the Party.[57]

The government visited reprisals on the Socialist Party for its anti-war stand. In a number of places patriotic citizens made their wrath felt by mob action. Under the Conscription Act leaders were widely arrested for agitating against the draft, meetings were dispersed by the police, and socialist papers were denied the second class mail privileges.[58] With the passage of the Espionage Act, prosecutions multiplied. Eugene V. Debs was sentenced to 10 years in prison for a speech at Canton, Ohio, and five leading party officers, including Victor Berger and the National Secretary, Adolph Germer, were given 20 years each. Of these six only Debs, however, served any portion of his sentence, the others gaining release on a technicality.[59]

The war gave the Socialist Party a new *raison d'être*. It regained its old radical tone, and the rift between right and left had apparently been minimized. However, the enthusiasm over the events in Russia presaged trouble. The October Revolution gave to the left wing a tremendous *élan*, and immediately after the Armistice it began open preparations to capture the Party for the revolutionary cause. In October 1918 a Communist Propaganda League was formed at Chicago with that end in

[54] *Ibid.*, April 9–14, 1917; Boudin, Louis B., "The Emergency National Convention of the Socialist Party," *Class Struggle*, May–June, 1917, pp. 44–48.
[55] *New York Call*, April 13, 16, 1917.
[56] *Ibid.*, July 8, 1917.
[57] *Ibid.*, May 19, June 3, 1917.
[58] *Ibid.*, May 29, June 22–29, July 2, 7, 1917.
[59] *Ohio Socialist*, January 15, 1919.

view.[60] In New York similarly a great number of the delegates to the Central Committee became an organized "left wing." In its manifesto it stood for the elimination of all reform planks, the overthrow of the existing state, open indorsement of the Bolsheviks and Spartacans, and an immediate emergency convention.[61] A city-wide convention demanded affiliation of the Socialist Party with the newly organized Third International.[62]

The exuberance of the left wing moved the conservatives to a drastic counter-offensive. All left wing locals in New York State were summarily suspended by the State executive committee.[63] The National Executive Committee expelled the Michigan State local for rejecting parliamentary action, and suspended seven foreign language federations—the Russian, Lithuanian, Lettish, Polish, Hungarian, Ukrainian, and South Slavic.[64] When the left wing slate for the new National Executive Committee was decisively victorious in the membership vote, the old National Executive Committee coolly set it aside on the charge of election fraud.[65] In this fashion the conservatives saved their hold on the Party machinery but lost two-thirds of the membership.[66]

The left wing held a national conference in June 1919. Ninety delegates from 20 cities were present and at once divided into two groups. The minority, dominated by the Russian Federation and by the Michigan State local, was for an immediate organization of a communist party; the majority still had hopes of capturing the Socialist Party from within, and they set up a National Council to that end.[67] The minority bolted and created a National Organizing Committee for an immediate launching of a communist

[60] *Class Struggle*, February 1919, pp. 114–115.

[61] *Ibid.*, February 1919, pp. 111–114; *Ohio Socialist*, February 26, 1919.

[62] *Report of New York Joint Legislative Committee Investigating Seditious Activities*, Albany, 1920, Part 1, Vol. 1, pp. 678–680; *Class Struggle*, May 1919, pp. 209–216.

The Third International was organized in Moscow in March 1919 by the representatives of 35 Socialist and Communist groups, including unofficial representatives of the American Socialist Labor Party, and the Socialist Propaganda League of the United States, Der I Kongress der Kommunistischen Internationale, *Protokoll der Verhandlungen*, Hamburg, 1921.

[63] *Class Struggle*, August 1919, p. 263.

[64] *Ohio Socialist*, June 4, 1919.

[65] *New York Call*, September 7, 1919.

[66] *Ibid.*

[67] *Class Struggle*, November 1919, p. 392; O'Neal, James, *American Communism*, New York, 1927, pp. 56–57; *Report of New York Joint Investigating Committee*, Part 1, Vol. 1, pp. 685, 739.

party. It was soon joined by a majority of the other group whose hopes of capturing the Socialist Party waned in view of additional expulsions.[68] As yet, however, there remained a left wing element desirous to make use of the Socialist Party organization. A part of it was still in good standing and another was suspended by the National Executive Committee. At the Socialist Party convention on August 30, 1919, the party leadership invoked the aid of the police to oust the delegates of the suspended locals seeking admission.[69] The seated left wingers thereupon bolted and in conjunction with the disappointed invaders formed the Communist Labor Party.

The locals and foreign language federations grouped around the National Organizing Committee and, heading towards becoming a communist party, held their convention on September 1, 1919. These groups, dominated by the Russian Federation considered themselves the purer communists and rejected the overtures of the Communist Labor Party for unity. To the Communist Party the Communist Labor Party was "centrist." [70]

Four months later both parties were driven underground by governmental prosecution. On January 2, 1920, simultaneous raids were made upon radicals and communists in 33 cities. Approximately 2500 were arrested;[71] about 5000 deportation warrants were issued by the Bureau of Immigration, of which almost 3000 were served. Secretary of Labor Wilson ruled that membership in the Communist Labor Party was not a deportable offense, but membership in the Communist Party was. Five hundred fifty-six were ordered deported,[72] but warrants of arrests were ordered canceled in 2202 cases. In New York, leaders of both the Communist Party and of the Communist Labor Party were sentenced to long imprisonment for violating the state Criminal Anarchy law. In Illinois, leaders in the two organizations were indicted for violating criminal syndicalist laws. Twenty belonging to the Communist Labor Party were sentenced to prison in Chicago in 1922. They were pardoned by Governor Len Small.[73]

[68] "The Left Wing Manifesto" in *Report of New York Joint Investigation Committee*, Part 1, Vol. 1, pp. 716–738, 743–747; *Ohio Socialist*, July 16, 1919.

[69] *New York Call*, August 31, 1919; *Ohio Socialist*, September 10, 1919.

[70] *Ohio Socialist*, September 17, 1919; Lloyd, William Bross, "Convention Impressions," *Class Struggle*, November 1919, p. 390.

[71] *Report of United States Attorney General*, 1920, p. 176.

[72] Commissioner of Immigration, *Annual Report*, 1920, p. 33.

[73] *Liberator*, September 1922, p. 14.

The Communist International ordered a merger of both Parties,[74] which was consummated at a secret meeting in the spring of 1920.[75]

The United Communist Party in its published statement of principles was in favor of mass action, intensive propaganda among the military forces of the country, and underground preparations for armed insurrection. Members were ordered to join the unions of their craft or industry to make propaganda for revolution.[76]

The Socialist Party, having expelled the "lefts" was reduced in 1920 to one-fourth of its war-time membership. It lost more than 80,000 in a year's time. At the national convention on May 8, 1920, the indorsement of the dictatorship of the proletariat was lost by a vote of 103 to 33. It nominated Eugene V. Debs, then a Federal prisoner at Atlanta, for President and Seymour Stedman for Vice-President. The convention was sufficiently under the influence of the Russian Revolution to crave affiliation with the Communist International, but the latter insisted upon humiliating conditions embodied in 21 points, and the affiliation did not materialize.[77] Debs polled close to a million votes. At the national conference of the Socialist Party in June 1921, affiliation with the Communist International on the basis of accepting the 21 points was again rejected. This caused another minor secession, led by J. Louis Engdahl, to the communists. The Socialist Party membership had declined by almost 10,000 during the year. The most important decision of the conference was the lifting of the ban on cooperating with other radical and liberal groups.[78] This permitted the Socialist Party to become a part of the Conference for Progressive Political Action.[79] The socialists were now dreaming dreams of becoming to the American labor party, which they envisaged emerging from the Conference for Progressive Political Action, what the Independent Labour Party was to the British Labour Party.

The communists were tiring of their underground activity. In December 1921 they created a legal upper story in the Workers'

[74] Letter from Zinoviev and instructions from Communist International in *Report of New York Joint Investigation Committee*, Part 1, Vol. 2, pp. 1902–04.
[75] Cleveland *Toiler*, June 25, 1919.
[76] *Ibid.*, February 12, 19, 1921.
[77] *New York Call*, May 8–15, 1920.
[78] *Ibid.*, June 26–28, 1921.
[79] See Chapter XXXIX.

Party.[80] The Communist International ordered the entire movement to emerge from underground, against the judgment of some of the leaders.[81]

The matter was to be thrashed out at an underground convention in the woods outside of Bridgman, Michigan. The convention was a secret to all, except the secret police, as an agent of the Department of Justice was one of the delegates. The convention was duly raided and arrests made. William Z. Foster at first evaded arrest but was later taken in Chicago. His arrest in company with the communists was most inopportune for the effectiveness of his Trade Union Educational League, at the time widely supported in trade union circles as a "progressive organization." Foster denied that he was a communist. He was tried for violating the Michigan criminal syndicalist law, but the jury failed to agree. His lawyer was Frank P. Walsh, former chairman of the United States Commission on Industrial Relations and co-chairman of the War Labor Board with ex-President Taft. C. E. Ruthenberg, the most important communist leader, was next tried and convicted.[82]

In 1923 a three-cornered factional fight developed in the Workers' Party. The Ruthenberg group had great hopes of a labor party under the Workers' Party's control. It was from this group that the moves sprang to capture the Farmer-Labor parties.[83] Foster's faction favored concentrating upon capturing the trade unions and going slow with political ventures. A third group led by Ludwig Lore, the editor of the *New Yorker Volkszeitung*, the veteran socialist paper, then temporarily communist, was for doctrinal purity, but against romantic exaggerations.[84] In 1925 the Communist International again stepped in. Lore was ordered expelled as a "right-wing opportunist." Though the Foster faction had won overwhelming control of the convention, the position of the Ruthenberg group was held to be closer to the "line" of the Communist International and was awarded at least 40 per cent of the seats in the National Executive Committee, and its representatives were granted immunity from removal from their ex-

[80] Duluth *Truth*, August 12, 1921; Eastman, Max, "A Christmas Party," *Liberator*, February 1922, pp. 5–7.

[81] *The Worker*, Chicago, March 3, 1922.

[82] *Ibid.*, September 21, 1922; March 31, April 21, May 19, 1923.

[83] See Chapter XXXIX.

[84] Ruthenberg, C. E., "Our Party—Three Tendencies," *The Worker*, January 19, 1924.

ecutive and editorial positions. With the decision of the Moscow High Tribunal against it, the Foster group chose to turn over full command to the Ruthenberg faction.[85]

By the spring of 1919 public sentiment towards the I. W. W. was changing. The criminal syndicalism laws were invoked in Idaho, Oregon, Montana, and Washington, but juries were refusing to convict.[86] Also the organization was benefiting from the general post-war upswing in the labor movement.[87] The situation was suddenly changed by the bloody Centralia episode which reopened the flood gates of prejudice and hate that never subsided until the organization had been practically wiped out in the Northwest.

Centralia, Washington, is a lumber town of about 20,000. In the fall of 1916 the I. W. W. tried to gain a foothold there, but was expelled by a citizens' committee.[88] Early in 1918 such a foothold had been obtained. In May 1918 the hall of the Lumber Workers' Industrial Union No. 120 was wrecked by marchers in a Red Cross parade.[89] In September 1919 the hall was open again. In the meantime the Seattle general strike had aroused fears and inflamed tempers.[90] In June 1919 a Citizens Protective League had been organized to combat "radicalism." The lumber operators were displeased with the chief of police who insisted that the I. W. W. had a legal right to exist.[91] That extra-legal measures were contemplated became common knowledge.[92] The Industrial Workers of the World in a leaflet, "To the Citizens of Centralia We Must Appeal," exhorted the people to prevent the illegal raid planned on the hall.

On Armistice Day 1919, the expected happened. A parade of ex-service men made a rush for the hall. The members of the I. W. W. were barricaded inside ready to defend themselves. They

[85] Ruthenberg, C. E., "From the Third through the Fourth Convention of the Workers' (Communist) Party," *Workers' Monthly*, October 1925, pp. 535–537.

[86] Chaplin, Ralph, *The Centralia Conspiracy*, Chicago, 1924, p. 26.

[87] See Chapter XXXII.

[88] McMahon, Theresa S., "Centralia and the I. W. W.," *Survey*, November 29, 1919, p. 173.

[89] Chaplin, *op. cit.*, pp. 39–40.

[90] See Chapter XXXIV.

[91] *The Centralia Case*, Joint Report on the Armistice Day Tragedy at Centralia, Washington, November 11, 1919, issued by Department of Research and Education of the Federal Council of the Churches of Christ in America, The Social Action Department of the National Catholic Welfare Council, and the Social Justice Commission of the Central Conference of American Rabbis, New York, 1930, pp. 8–10.

[92] Chaplin, *op. cit.*, pp. 59–60; Lampman, Ben Hur, *Centralia Tragedy and Trial*, Tacoma, Washington, 1920, p. 15.

opened fire on the invaders and three members of the American Legion were killed and two wounded. Another legionnaire was killed by a war veteran member of the I. W. W. whom he was pursuing. That night the town was suddenly submerged in darkness, the prisoner taken out of his cell and lynched by a mob.[93]

The Centralia encounter rekindled the hate for the I. W. W. Mobs demolished their halls and the police made wholesale arrests.[94] The estimated number of arrests ran to over 1000.[95] The Lewis County Bar Association pledged its members not to defend the I. W. W. no matter how trivial the charge.[96] The state's attorneys of the State of Washington, at the call of the Attorney General of the State met to devise means of facilitating the conviction of I. W. W. members on charges of criminal syndicalism.[97] It was charged by the sympathizers with the I. W. W. that this meeting decided to try cases simultaneously in different counties to make it impossible for the lawyers willing to take these cases to provide adequate defense.[98]

In the general outcry for blood and vengeance the *Seattle Union Record*, the official organ of the unions of the American Federation of Labor in the city, kept a cool attitude. In an editorial, "Don't Shoot in the Dark," it pleaded for calmness and urged that the I. W. W. be allowed to present its side of the case. This led to the arrest and indictments of four members of the staff by a Federal grand jury and the closing of the plant by the Federal authorities.[99] The Seattle press opened an indiscriminate attack against all organized labor. In the eyes of the advocates of the open shop the unions which were responsible for the general strike were equally guilty with the Industrial Workers of the World, especially when they showed the audacity to demand fair treatment for the Centralia prisoners. An advertisement appeared in the Seattle *Post-Intelligencer* advocating mob rule and lynching. Here the organized mechanical force of the paper intervened. They notified the management that no longer would they tolerate the anti-labor propaganda without protest. The paper was obliged to publish

[93] Seattle *Post-Intelligencer*, November 12 and 14, 1919.
[94] *Ibid.*, November 13, 14, 15, 1919.
[95] Smith, Walker C., *Was It Murder?* pamphlet, Northwest District Defense Committee, Seattle, 1922, p. 22.
[96] Chaplin, *op. cit.*, p. 83.
[97] Seattle *Post-Intelligencer*, November 26, 1919.
[98] Chaplin, *op. cit.*, p. 82.
[99] McMahon, *op. cit.*, pp. 173–174.

on the front page the resolution of the meeting of its employees charging the paper with "depravity as a newspaper, . . . shameless disregard of the laws of the land, . . . hatred of opposition, . . . reckless appeal to the passions of the citizenry reached depths of malice and malignancy hitherto unbelievable." It closed with the warning that the employees would "find means to protect [themselves] from the stigma of having aided and abetted [the] campaign of destruction." [100] Other cities likewise renewed the prosecution of the Industrial Workers of the World.[101]

The Centralia Post of the American Legion raised a fund of over $17,000 to assist the prosecution. A change of venue was granted to a neighboring lumbering county where in the eyes of the defense prejudice was equally strong.[102] The Pacific Coast labor movement, at the initiative of the Seattle Metal Trades' Council, sent a "labor jury" to attend the trial of the 11 men.[103] The trial continued until March 12. The court room and town were filled with legionnaires in uniform. The Federal government sent 25 troopers. The jury returned a verdict finding two of the defendants guilty of third degree manslaughter, but the court refused to accept this verdict. After further deliberations, the jury having been out a total of 22 hours, it acquitted two, found seven guilty of second degree murder, and one insane. The eleventh defendant had been freed earlier in the case. The jury also recommended clemency. The verdict displeased both sides.[104] The "labor jury" held that there had been a conspiracy to raid the hall, that the defendants had acted in self-defense, and that the defendants failed to receive a fair trial.[105] The court disregarded the jury's plea for clemency and imposed maximum indeterminate sentences ranging from twenty-five to forty years in prison. The State Supreme Court unanimously affirmed the verdict.[106]

The prosecution of I. W. W. members continued with relentless vigor. The General Defense Committee estimated that at the beginning of 1920 there were more than 2000 members of the

[100] Seattle *Post-Intelligencer*, November 20, 1919.
[101] *New Solidarity*, November 25, December 20, 1919; Seattle *Post-Intelligencer*, December 13, 1919; *New York Call*, January 31, February 21, March 3, 1920.
[102] Chaplin, *op. cit.*, pp. 21–22.
[103] Smith, Walker C., *op. cit.*, p. 7.
[104] Portland *Morning Oregonian*, March 14, 1920.
[105] *Solidarity*, April 3, 1920.
[106] Chaplin, *op. cit.*, pp. 30–31.

organization in jail.[107] The charges were vagrancy, criminal syndicalism, and sedition. California's criminal syndicalism law, passed in April 30, 1919, was invoked with especial frequency and many prosecutions continued in California into the twenties. In Oregon, Washington, Idaho, Kansas, and Oklahoma, members of the organization were given prison sentences either under criminal syndicalism statutes or under vagrancy laws.[108]

The great bulk of the prosecutions in 1922 and 1923 was in California. As a rule communities did not discover the full horror of the dissident ideology of the Industrial Workers of the World until it was brought home to them by a strike for better conditions or by an attempted organizing campaign. Late in 1922, 1700 laborers employed on the Hetchy-Hetchy aqueduct struck under I. W. W. leadership. Immediately mass arrests were made under the criminal syndicalism law.[109] In many of the California cases the State employed professional witnesses who figured in trial after trial.[110]

The strike on the San Pedro water front in the spring of 1923 was a curious blending of an ordinary economic strike and a political strike. It was part of a nation-wide strike called by the I. W. W. for the release of the political prisoners, but it was also against the so-called "Fink Hall," an anti-union employment office,[111] for the repeal of the criminal syndicalism law, and for higher wages.[112] Three thousand came out and tied up San Pedro, the port of Los Angeles. The Los Angeles jail could not hold all the arrested strikers and sympathizers. A stockade was built and wooden structures hastily constructed to house the prisoners. On May 15 it held 340 prisoners.[113]

In July 1923 a new method of suppression was devised. The injunction was used to enjoin membership in the I. W. W.[114] On December 1, 1923, the California Defense Office reported that 98 members were serving prison sentences ranging from 1 to

[107] *New Solidarity*, January 17, 1920.

[108] *Solidarity*, August 27, 1920; *Industrial Worker*, June 4 and 11, 1921; *Industrial Solidarity*, April 29, 1922.

[109] *Industrial Solidarity*, October 28 and December 2, 1922; *Industrial Worker*, December 23, 30, 1922.

[110] *Industrial Solidarity*, February 17, 1923.

[111] West, George P., "Andrew Furuseth Stands Pat," *Survey*, October 1923, p. 87; *San Francisco Chronicle*, May 5, 1923.

[112] *San Francisco Chronicle*, May 5, 1923.

[113] *Ibid.*, May 15, 1923; May 16, 1923, May 17, 1923.

[114] *Industrial Worker*, July 25, 1923.

14 years for criminal syndicalism in the penitentiaries of California. Six were out on bonds, and twenty were awaiting trial.[115]

In 1924 the California suppression campaign abated. During the five years following the enactment of the criminal syndicalism law, 317 had been indicted, 140 had been convicted and given prison sentences, 167 had been acquitted or their cases dismissed after the juries had failed to agree.[116]

The relentless seven year long campaign of suppression not only bled the Industrial Workers of the World white of its more energetic membership but also produced a deterioration of leadership. The leaders of the I. W. W. prior to 1917 had usually served an apprenticeship in another labor organization or in a political party. The leaders catapulted into office as a result of the suppression were novices and casuals devoid of organization sense. This already showed in the convention of 1919, the first postwar convention, in the passage of two amendments to the constitution. The first was the enactment of universal dues and initiation fees in the place of the right of the local organizations to set their own dues and assessments within a set maximum.[117] The other harmful constitutional clause of the same "idealistic" order limited general officers, exclusive of editors, to a maximum continuous term of one year.[118] But the clearest proof of the folly of the new leaders was their readiness to expel the Philadelphia longshoremen's local with over 3000, together with the Italian bakers of New York, the steadiest sources of financial support of the general organization. The longshoremen maintained job control on the docks for almost ten years, and the Italian bakers' local had an equally long history and was equally entrenched in the industry. Both were expelled on the ground of their refusal to lower their dues and assessments to the new "universal" level.[119]

In 1924, the harassed organization decided that it could afford the luxury of a split. On the surface the split was caused by the acceptance of conditional pardons by a group of Federal prisoners and the refusal of another group to accept such a pardon. The conflict within the Leavenworth prison was paralleled by one between the prisoners' friends on the outside. The fight reached

[115] *Industrial Solidarity*, December 1, 1923.
[116] *To the Beasts*, pamphlet, San Francisco, 1924, pp. 9–10.
[117] *New Solidarity*, May 24, 1919.
[118] *Ibid.*
[119] I. W. W., *Minutes of Thirteenth Convention*, 1921, pp. 13–15.

a climax in 1924 after the more uncompromising group had been released, and James Rowan, one of their number, came to lead it against the national officers who had sided with the more conciliatory prison group. Rowan was secretary of Lumber Workers' Industrial Union No. 120. He was bodily expelled from the headquarters but gained readmission through a court injunction. He and his faction now promulgated an "Emergency Program" of a decentralist character.[120] Rowan was expelled by the regular convention but his faction continued as a dual I. W. W. In the bitter strife, whatever vitality was left after the suppression campaign was dissipated.

The decline of the I. W. W. has been attributed to the rise of communism, and to its failure to adapt itself to postwar conditions.[121] The decline of the I. W. W. can be more plausibly explained by the systematic removal of its leadership by imprisonment, itself part and parcel of the intensified hostility of the public engendered by war-time emotions and interested employer propaganda. The marvel is not that the I. W. W. declined, but that for seven terrible years it was able to survive without crumbling into dust.

[120] I. W. W., *General Office Bulletin*, March 1925; *Minutes of Joint Investigation Committee of Industrial Unions Nos. 120, 310, and 460*, September 1924; General Construction Workers' Industrial Union No. 310, *Minutes of Seventh Annual Convention*, pp. 13–19; *Emergency Program*, leaflet.

[121] Gambs, John, *The Decline of the I. W. W.*, Columbia University Press, 1932, p. 206.

SECTION IV

POST-WAR MILITANCY, THE APOTHEOSIS OF BUSINESS, AND THE AFTERMATH

CHAPTER XXXIV

POST-WAR MILITANCY: "INSURGENCY"

During the war, as was seen, the government was, on the whole, successful in suspending the ever active opposition to unionism. The unions were needed aids in labor discipline, to stabilize wage conditions, and to reduce labor turnover. In the midst of these halcyon days, the Armistice was signed, and the spirit of the new era was found to have been only a temporary war expediency. The ending of hostilities brought in a period of widespread industrial struggles unequaled in American labor history.

During the immediate postwar years the labor movement shared in the general psychological deviation from "normalcy" and also showed the effects of the accumulated dislocations in the industrial field proper. The gigantic war effort, accompanied by a heretofore unheard of control and marshaling of public emotion by the government, left behind in all classes of the population an extremely heightened susceptibility to mass excitement. For the large strata of the general population the war-time emotion was now ready to be transformed into an anti-red hysteria, with strikes and wage demands often held manifestations of "redness." In the labor movement the heightened emotionalism of the period was fed by the widening gulf between the soaring cost of living and the lagging wages. Another cause was the contrast between the war-time expectations of a new and recognized status and the obstacles now encountered, not only from the employers but also from government officials. But, above all, the membership of the unions and in a number of cases the unions themselves were new and lacked the training in "rationalized revolt" possessed by older unions and unionists. It is perhaps not altogether surprising that many observers, their own hopes for a rapid social transformation heightened by the Russian Revolution and by the militant radicalism of the British labor movement, mistakenly saw in labor's mood of unrest and aggressiveness a "radicalization" of the European type and the harbinger of revolution.

Four days after the signing of the Armistice the Amalgamated Clothing Workers of America demanded the 44-hour week and a

15 per cent increase in pay for its 30,000 members employed in the shops of the American Men's Clothing Employers' Association of New York City. The employers answered by a lockout. The Amalgamated's reply was an order for a general strike of its 50,000 members in all the shops of New York City. The tie-up was complete and the independent manufacturers employing 20,000 hastened to comply with the demands and to put their shops back into operation.

In the eighth week of the strike against the shops of the Association Jacob H. Schiff, a Jewish banker and philanthropist, appealed to the union to arbitrate on the ground that "the industry is largely made up of Jewish employers and employes," and therefore he had "a natural concern in seeing a peaceful relationship established." [1]

The Amalgamated was willing to arbitrate, but with limitations. The 44-hour week having been granted by the independent manufacturers had to stand for the whole industry. Further it would not consent to open for reconsideration, as the employers demanded, the already established working rules in the shops, such as the limitation of the right to discharge.[2] A 10 per cent assessment upon the wages of those in the settled shops placed the Amalgamated in a position to continue the strike. The strike was won after 13 weeks.

In the midst of the New York strike the Amalgamated received the encouraging news that Hart Schaffner and Marx, the largest men's clothing firm in Chicago, had granted the 44-hour week together with an increase in wages.[3] The New York settlement was accompanied by the agreement for the 44-hour week throughout the country in the shops of the members of the National Association of Clothing Manufacturers. In New York the shorter week went into effect immediately; elsewhere on May 1, 1919.[4] In Chicago, however, the Amalgamated refused to wait until May 1 for the rest of the industry to follow Hart Schaffner and Marx and, without a strike, ordered its members to cease work a half hour earlier than the scheduled hours, in order to gain time for a daily shop meeting. The employers, anxious to avoid trouble, put in the 44-hour week on January 28, 1919.[5]

[1] *Advance*, November 15, 1918, p. 1; December 20, 1918, p. 3.
[2] *Ibid.*, January 3, 1919, p. 7.
[3] *Ibid.*, January 10, 1919, p. 1.
[4] *Ibid.*, January 24, 1919, p. 6.
[5] *Ibid.*, February 7, 1919, pp. 1–2.

An illustration of postwar militancy and of war begotten machinery for concerted action by a large number of hitherto separate trades, was presented in the struggle of the harbor workers of the Port of New York. The common instrumentality of the harbor workers was the Marine Workers' Federation, comprising six unions, and similar to the building trades councils. The Railroad Administration and the private boat owners had refused to abide by the decision of the National War Labor Board granting the eight-hour day and an increase in wages. The strike, early in January 1919, stopped all harbor traffic, except hospital ships and army transports. President Wilson appealed to the men to return to their jobs pending a new arbitration.[6] The strikers returned but the new board which handed down its award in March was distinctly more niggardly than the War Labor Board and the award was followed by a second strike as fully effective as the first.

The Regional Director of the Railroad Administration, obviously under pressure from Washington, granted the strikers' demands and about one-half of the strikers returned to work. The private boat owners held out and a renewal of the general strike was imminent when the Regional Director of the Railroad Administration discharged 16 union crews for refusal to tow coal and grain boats of private owners whose men were on strike. The Marine Federation planned to make the third strike the most effective of all. That strike was averted by pressure of public officials who prevailed upon the Director to reinstate the discharged boat men. Also a compromise settlement was made between the private boat owners and the Marine Federation granting wage increases and the ten-hour day.[7]

The eight-hour movement that swept the New England Textile districts early in 1919 was as characteristic of the post-Armistice upsurge as the New York harbor strike. In no other industry had unionism as checkered a career as in textiles. The United Textile Workers of America was formed in 1901 after several decades of sporadic and disjointed organization. It led a mainly unsuccessful strike of 90,000 in Philadelphia in 1903 and conducted, the next year, a six months' strike of 26,000 in Fall River, which ended in recognition and a compromise wage settlement on the sliding

[6] *New York Times*, January 12, 1919.
[7] *Ibid.*, April 16–20, 1919.

scale principle.[8] The sliding scale in Fall River was in operation until 1909.[9] By 1912 the United Textile Workers had been reduced to a limited membership of skilled operatives thus leaving the field open to dual bodies, notably the Industrial Workers of the World during 1911–13.[10] In November 1918 the convention of the United Textile Workers demanded the eight-hour day beginning February 3, 1919.[11] The American Woolen Company agreed to the reduction in the hours, and to begin paying at overtime rates after the eighth hour, but insisted upon the old hourly rate.[12] The employers throughout Rhode Island and Massachusetts gave the same reply. The concession of the basic eight-hour day split the labor ranks. The United Textile Workers was satisfied but a large number of the local groups determined to hold out. In Lawrence, Massachusetts, a general strike began under the direction of a committee made up of representatives of the various language groups and of local unions.

In Paterson, New Jersey, a different method was employed. Instead of going on strike, the mill hands were instructed by their leaders to arrive on the job a half hour later than customary and quit work at the usual hour. The employers replied by a lockout of 31,000. The issue went to the National War Labor Board. New Bedford, Fall River, and Pawtucket, Rhode Island, as well as less important textile centers of New England and New Jersey were tied up on the eight-hour issue. All in all, 120,000 were out. In Lawrence, the hostility of the United Textile Workers to the strike turned the Central Labor Union against it.[13]

The strike in Lawrence, the old battlefield of 1911–12 and the principal location of the American Woolen Company, was the hardest fought and drew the most public attention. A radical clergyman, A. J. Muste, made his *début* in the labor movement in the Lawrence strike. To give the strikers direction as well as power to endure he helped create an independent union modeled upon the Amalgamated Clothing Workers of America.[14] The

[8] *New York Tribune*, June 2, 1903; Palmer, G. L., *Union Tactics and Economic Change*, University of Pennsylvania, Philadelphia, 1932, p. 16.

[9] *Massachusetts Labor Bulletin*, May 1906, pp. 192–196; Lincoln, J. T., "Wages in the Cotton Industry," *Quarterly Journal of Economics*, May 1909, pp. 456–461.

[10] See Chapter XXIII.

[11] *Textile Worker*, February 1919, pp. 417, 465.

[12] *Boston Transcript*, January 30, 31, 1919.

[13] *New York Call*, February 4–16, 1919.

[14] *Advance*, April 18, 1919, p. 1.

Amalgamated Clothing Workers acted the foster mother by sending organizers and financial aid to Lawrence, creating temporarily the impression of an intent to enter the textile field. The strike in Lawrence was won after 10 weeks. Although led by socialists and proclaimed by them as a revolutionary labor manifestation, John A. Fitch, perhaps the leading industrial investigator in the country, characterized it as an ordinary rebellion against excessively low wages.[15]

The tentative solidarity shown by the Amalgamated Clothing Workers with the textile workers was far overshadowed by the solidarity of all the organized trades of Seattle, Washington, with the shipyard crafts, a solidarity going to the extent of breach of collective agreements.

The war-time agreement between the United States Shipping Board, the Navy, and the International presidents of the shipbuilding crafts creating the Shipbuilding Adjustment Board, or the Macy Board, was to stay in effect until the end of the war.[16] The awards of the Macy Board were unsatisfactory to the unions from the start. Early in 1919 an award was made setting a uniform wage scale on both the Atlantic and the Pacific Coasts, thus destroying the differential traditionally enjoyed by the Western shipyard workers.[17]

Demands for the revision of the wage scale having failed, the Seattle Metal Trades Council ordered a strike vote. The vote was 10 unions to seven for a strike. However, only in one union did a majority of the membership vote against striking; in the other six that voted in the negative more than a bare majority was required.[18] On January 16, 1919, the Metal Trades Council of Seattle called a strike for the 21st, and was followed by Tacoma. The demands were for $8.00 a day for mechanics and $5.50 for laborers, and the 44-hour week. The ire of the strikers was aroused by the current rumor that the employers in the Puget Sound district were willing to yield, but were coerced by the chairman of the Emergency Fleet Corporation, Charles S. Piez, who threatened to cancel their government contracts or deny them the necessary steel.[19]

[15] Fitch, John A., "Lawrence," *Survey*, April 5, 1919, pp. 43–44.

[16] Douglas, P. H., and Wolfe, F. E., "Labor Administration in the Shipbuilding Industry During War Time," *Journal of Political Economy*, March 1919, p. 150.

[17] *Seattle Union Record*, February 3, 1919.

[18] History Committee of Seattle General Strike Committee, *History of the General Strike*, pamphlet, Seattle Union Record Publishing Company, Seattle, 1919, p. 10.

[19] *Ibid.*, pp. 10–12.

On the second day of the strike the Metal Trades Council requested the support of the Seattle Central Labor Council. As a result, the matter of a sympathetic strike was submitted to all the local unions. An appeal to the membership of the local unions to vote for a strike stressed the dependence of the prosperity of all the Seattle trades on the high wages of the 32,000 shipyard workers.[20] A General Strike Committee was chosen of three delegates from each union that had voted in the affirmative and three from the Central Labor Council.[21] The appeal from the Macy award having failed in the meantime, Piez forcibly reminded the strikers that under the agreement they were obliged to wait until March 3, 1919, before raising the issue again. However, his reasoning failed to impress the shipyard workers.

Four days before the date set for the general strike, the Central Labor Council ceded its power to the General Strike Committee. It acted through a smaller Executive Committee. The General Strike Committee remained in continuous session for nine days, from the second to the eleventh of February. It set up committees on tactics, finances, and publicity, and passed on exemptions from its own orders. Exemptions were granted only where it was shown that the suspension of the service would cause hardship to the population of the city. On February 4, the Strike Committee issued a mobilization call to all union men who had been in military service to report for police duty. The Chief of Police of Seattle was informed that notwithstanding the strike no additional police would be needed, as organized labor would do its own policing.[22] The public was assured that plans had been perfected to feed the strikers and the remaining population.[23]

In the morning of February 6 the general strike was put into effect. Every industry and trade came to a standstill by the withdrawal of 60,000 workers from work. The General Strike Committee showed good judgment in the granting of the necessary exemptions and in providing for the feeding and policing of the city. For instance the hospital laundry wagons were allowed to operate, but were compelled to carry the sign, "Hospital Laundry Only. By Order of Strike Committee." The Committee was as impartial as possible. Unless justified by the conditions it refused

[20] *Seattle Union Record*, January 25, 1919.
[21] *History of the General Strike*, pp. 12–13.
[22] *Ibid.*, pp. 15–18.
[23] *Seattle Union Record*, February 3, 1919.

exemptions to friend and foe. Food kitchens supplied food for all at nominal prices, but the members of labor unions received reductions. It also maintained milk stations for distribution to families with children. Major General Morrison, who had been ordered to Seattle from Camp Lewis, pronounced the city the quietest and most orderly of any city he had seen in 40 years of military experience.[24] This was corroborated by the Seattle Chief of Police.[25] During the strike, fewer arrests than usual were made and none was connected with the strike.

On the third day, the Executive Committee recommended to the General Strike Committee by 13 to 1 that the strike be ended. But the General Strike Committee refused to be guided by this recommendation. Yet the crest of enthusiasm had been passed. On the fourth day, a few of the striking unions failed to answer the strike roll call. A number of the international union officials, apprehensive over the breach of contract by their locals out on this sympathetic strike, pressed for a speedy termination of the dangerous undertaking. This was a warning that the general strike would have to end soon in order that return to work might be made not by single unions, but as a united labor front. To this end the General Strike Committee called upon unions that had returned to work to rejoin the strike for another day, February 11, when the strike would terminate for all and an organized return to the jobs effected. This appeal was effective with a few of the deserting unions but not with others.

More than any labor controversy of the time, the Seattle general strike was hailed by the radicals and denounced by the conservatives as an indication of the growing revolutionary temper of the American workers. To overenthusiastic radicals, as well as to frightened conservatives, the widespread aggressiveness of labor at the time acquired a significant meaning as the groundswell of a labor revolution when Seattle labor came out on a general strike and took over the important functions of municipal government. Amongst those chiefly engaged in spreading the impression of an imminent revolution was Mayor Ole Hanson of Seattle, who subsequently on a speaking tour throughout the country, exploited the event for personal publicity and political advantage.

[24] *History of the General Strike*, pp. 19–30, 46.
[25] Seattle *Post-Intelligencer*, February 11, 1919.

The public utterances and day to day conduct of the strike leaders tell a different story. When the proposal of a general sympathetic strike was first brought up in the Central Labor Council, the question was at once raised of its aim and purpose. James A. Duncan, the secretary and at that time the real leader of the Seattle labor movement, said that "this is an issue that cannot easily be befogged. . . . It is all right to talk about the revolution, but some of us are not revolutionists. We can fight a whole lot better . . . once we can show a solid front on a single issue." [26] To Duncan the issue was not revolution but support by all Seattle labor of the important body of workers in the city faced by a crisis. The wider aspect of this struggle was the danger to all Seattle unions if the shipyard unions were crushed. The community of interests was enhanced by the fact that the immediate employers were not free agents but were coerced by Piez, behind whom loomed labor's old foe, the steel industry. The Mayor made his first charge of revolution when the strike was virtually over. Replying to the Mayor, the chairman of the General Strike Committee denounced these charges as preposterous, denied that he was a revolutionist, and affirmed his belief in the American Constitution.[27] The return to work of several of the striking unions in the midst of the strike on the orders of their international officers also supports the non-revolutionary interpretation of the event. If their spirit of rebellion blanched before the displeasure of their elected union officials, they had far to go before they were ready to defy the government of the land.

Solidarity of labor, to a wider extent than the American norm, there certainly was in the Seattle episode, but it was not wholly without precedent even in the union movement of the conservative East, as in the traction strikes of Philadelphia in 1910 and in New York in 1916. What set off the Seattle general strike from its predecessors was its greater completeness, itself the product of the charged atmosphere of the war and postwar era, and the heightened susceptibility of the American people at that time to anti-radical hysteria. The strikers of the many trades that came out in Seattle were bent on giving tangible demonstration of their sympathy for their comrades in protecting their standard of living and right in the job against powerful anti-labor forces.[28] It is sig-

[26] *Seattle Union Record*, February 1, 1919.
[27] *Ibid.*, February 15, 1919.
[28] *Ibid.*, February 15, 1919.

nificant that in the prosecutions for criminal syndicalism consequent upon the strike, the prosecution was unable to charge a single strike leader or union official with either seditious speech or act.[29] *The American Federationist* called the Seattle walkout a "violation of the rules and regulations of the American Federation of Labor," and while denying that the union men of Seattle were disloyal to the government, pointed out that the strike was ended not by troops and machine guns but by the pressure of the international unions.[30]

The general strike which began in Winnipeg, Canada, on May 15, 1919, like the Seattle general strike, arose out of ordinary wage movements by metal and building trades, and became a manifestation of a wide labor solidarity because the granting of the wage demands appeared to be prevented by outside financial interests and because the war had brought home to the members of different trades that their employment conditions depended on no isolated situations, varying from trade to trade, but on concerted policy of government and industry as a whole. Hence the proneness of the several trades to come to each other's aid by city-wide sympathetic strikes. In Winnipeg the general strike lasted longer than in Seattle. It was suppressed by government forces and deportations of leaders, although the strike committee was eager to divorce their enterprise from any connection with revolution,[31] even insisting that the policemen return to their duties after their union had voted 149 to 11 to join the strike.[32]

The Winnipeg strike was employed to spread the fear of impending revolution on both sides of the international boundary line. Revolution was discernible only by those who saw with the eyes of fear. But that unrest had penetrated deeply was dramatically shown by the strike of the New England telephone operators against the telephone companies, then controlled by the Post

[29] A representative of the electricians' union was indicted for having threatened to tie up the city's lighting plant and water works. The strike committee promptly repudiated him.

[30] *American Federationist*, March 1919, pp. 243–244.

[31] It declared: "For the benefit of those who fear the strike had some ulterior purpose, such as the overthrowing of the present government system, the establishing of a Soviet form of government, and the calling of a revolution, let us say calmly and with conviction that the workers of Winnipeg would respond to no such call. Even supposing a few hot-heads had made such an appeal, the mass of the workers would defeat it by their votes as overwhelmingly as they supported the strike." *The Winnipeg General Sympathetic Strike*, pamphlet, p. 47.

[32] *Ibid.*

Office Department. Postmaster General Albert S. Burleson was opposed to dealing with organized labor. The Boston telephone operators' union antedated government control and had secured recognition. The agreement expired on December 31, 1918, and in view of the soaring cost of living the union demanded higher wages. Burleson forbade direct dealings between the management and the union. He ordered the submission of the matter for "study" to the Wage Commission of the Wire Control Board but with the final decision to be left in his hands. The leader, Julia S. O'Connor, was forced out as an employee. The organized telephone operators were a department in the International Brotherhood of Electrical Workers of America.[33]

As the New England telephone operators' demand for an immediate decision on their wages went unanswered, they replied by a complete tie-up of service, affecting 26 cities and towns. The Governors of Massachusetts, Rhode Island, Vermont, and New Hampshire appealed to President Wilson to intervene.[34] The cable splicers and electricians joined the strike.[35] Burleson tried to hold out for the procedure he favored, but on the third day of the strike was forced to permit direct dealing between the New England telephone management and the union.[36] The final agreement granting wage increases was negotiated between the First Assistant Postmaster General and the union.[37]

Soon the Postmaster General was faced with a revolt from another quarter. The membership of the Brotherhood of Electrical Workers voted by 26,492 to 9114 for a strike against all telephone and telegraph lines under the Post Office Department for the right of collective bargaining.[38] Two days before the date set for the strike Burleson surrendered.[39]

The postwar militancy roused to union action several groups who formerly had spurned unionism: the actors and the policemen. The actors were at the mercy of the managers. Standard contracts were lacking. Producers would incorporate to escape

[33] *Journal of Electrical Workers and Operators*, February 1919, p. 320; March 1919, p. 385; Hard, William, "Mr. Burleson, Back from Boston," *New Republic*, May 3, 1919, pp. 15–16.

[34] Withington, Anne, "The Telephone Strike," *Survey*, April 26, 1919, p. 146; *Boston Transcript*, April 15, 1919.

[35] *Boston Transcript*, April 16, 1919.

[36] *Ibid.*, April 19, 1919.

[37] *Ibid.*, April 21, 1919.

[38] *Journal of Electrical Workers and Operators*, May 1919, p. 499, June 1919, p. 556.

[39] *Ibid.*, June 1919, pp. 547–548.

personal liability, and actors would find themselves stranded thousands of miles from home unable to collect back wages. Rehearsal periods, during which no wages were paid, were not limited, often running from 10 to 16 weeks. Salaries were arbitrarily reduced, and the actor often compelled to furnish his own costumes. The dressing rooms were without proper light and ventilation. Finally the "satisfaction clause" made the manager sole judge of the actor's competency, laying him open to discharge regardless of his contract.[40]

The Actors' Equity Association was organized in May 1913.[41] Equity's first attempts were directed towards securing a standard contract embodying free transportation to and from New York City, limited rehearsal time, two weeks' notice before dismissal, compensation for actors dismissed without pay after more than one week's rehearsal, limitation of extra performances without pay, and full pay for all weeks played.[42] In the fall of 1917 the Equity secured its first standard contract with the United Managers' Protective Association embodying most of the sought changes.[43] In May 1919 a new managers' group, the Producing Managers' Association, was formed. It demanded that Equity agree to additional rehearsal time. Equity in turn asked for a guarantee of eight performances weekly with *pro rata* pay for every extra performance. The managers refused and rejected arbitration. Immediately thereafter the Equity affiliated with the American Federation of Labor.[44] Now the managers would deal only with actors as individuals.[45] The Equity accepted the challenge. At a meeting attended by 1400 it was decided to strike for the recognition of Equity by the Producing Managers' Association and for better conditions. The managers were caught unaware, never thinking that the actors would resort to striking.[46] The strikers were helped by many of the "stars," who stood to gain nothing from the strike's success. The "semi-skilled workers" in the trade formed the Equity Chorus and joined the strike. Pickets were posted and parades and meetings held to acquaint the public with the actors' cause. The Equity demanded that rehearsals of chorus be limited to four weeks and a minimum wage

[40] Harding, Alfred, *The Revolt of the Actors*, W. Murray and Company, New York, 1929, pp. 7–10.
[41] *Ibid.*, pp. 12–14.
[42] *Ibid.*, pp. 19–22.
[43] *Ibid.*, pp. 38–39.
[44] *Ibid.*, pp. 54–57, 60–67.
[45] *New York World*, August 7, 1919.
[46] *Ibid.*, August 8, 1919.

for chorus people. The theatrical producers behaved in this contingency as other employers. Injunctions and damage suits were freely used.[47]

The strike spread to Chicago and Boston with the accompaniment of injunction suits against Equity.[48] A committee of leading actors, led by E. A. Sothern, attempted to mediate. The issue of "recognition" stood in the way. On August 16 the stage hands and musicians joined in a sympathetic strike. In Chicago, Edward Nockles, Secretary of the Chicago Federation of Labor, took command. The strike of the stage hands and musicians closed all theaters in New York and Chicago. The president of the International Alliance of Stage Employees and Motion Picture Machine Operators threatened a nation-wide tie-up.[49] The support of the stage hands and musicians came just in time to offset the defection of a group of actors who professed humiliation that members of their profession should revolt like "disgruntled laborers," and formed the "Actors' Fidelity League." [50] The "laborers," however, were unwavering in their support. The teamsters' union voted to refuse to haul trunks and scenery for managers fighting Equity, and the billposters' union refused to post bills for non-Equity theaters. Samuel Gompers, the personal friend of many of the managers, also addressed words of encouragement to the actors.[51]

The resistance of the managers was finally broken down when Charles P. Shay, president of the International Alliance of Theatrical Employees and Motion Picture Operators, ordered the membership in 169 cities and 800 smaller towns to boycott the Shubert concern, which was the backbone of the employer resistance. Under the agreement between the stage hands and the musicians the latter would have been obliged to join.[52]

On September 6, a month after it began, the strike suddenly ended, the managers agreeing to recognize Equity, to cancel all law suits, to abolish all blacklists, to grant eight performances a week and all wage demands. On its side Equity promised not to engage in sympathetic strikes and not to expect the closed shop. As the stage hands and musicians hardly needed the actors' support in their labor controversies, this was no betrayal of Equity's proven friends in need. An arbitration board was to be set up to

[47] *Ibid.*, August 9–12, 1919.
[48] *Ibid.*, August 13–14, 1919.
[49] *Ibid.*, August 16–21, 1919.
[50] *Ibid.*, August 23–24, 1919.
[51] Harding, *op. cit.*, pp. 192–198, 204.
[52] *Ibid.*, pp. 228–229; *New York Call*, September 7, 1919.

look after current grievances, with the Actors' Fidelity League represented if its members were involved.[53]

The most disturbing manifestation of the spirit of social unrest after the war, and one that actually elected Calvin Coolidge Vice-President and then President, was the Boston police strike. The soaring cost of living during and after the war had seriously affected the living standards of all groups receiving fixed incomes, notably public employees. On August 1, 1919, the officers of the Boston Social Club, a policemen's organization of 13 years' standing, informed the membership of 1400 that, having failed to interest the proper authorities in adjusting their grievances, they were contemplating affiliation with the American Federation of Labor.[54] The head of the Boston police department and the local newspapers vigorously opposed the idea of affiliation, and on August 11, the Police Commissioner forbade the police from joining organized labor.[55] Nevertheless the charter was accepted on August 15. The Police Commissioner decided to take action against the officers of the union. In an attempt to settle the question amicably, the Mayor, who does not control the Boston police department, appointed a citizens' committee to mediate. The situation appeared to be sufficiently threatening for business houses to hire guards in anticipation of a police walkout.[56]

The Mayor's citizens' committee offered a compromise plan granting policemen the right to maintain their union, but not to affiliate with organized labor; an adjustment of wages and conditions by a committee of citizens after an investigation; thereafter conditions to be fixed by agreement between the Commissioner and the representatives of the union and in the event of a deadlock by a specially appointed committee; no policeman was to suffer discrimination due to previous affiliation with the American Federation of Labor.[57]

The Police Commissioner rejected the compromise, and followed up his earlier threat against the union leaders by suspending 19 police officers who were leading members. On the same day the policemen held a mass meeting and by a vote of 1134 to 2 decided to strike.[58] Apparently the strike vote was not taken seriously by persons in authority as few preparations were made

[53] *New York Times*, September 7, 1919.
[54] *Boston Evening Transcript*, August 2, 1919.
[55] *Ibid.*, August 12, 1919.
[56] *Ibid.*, September 5, 1919.
[57] *Ibid.*, September 18, 1919.
[58] *Ibid.*, September 8, 1919.

to police the city. The authorities contented themselves with a campaign to recruit a volunteer force which President Lowell of Harvard University urged his students to join.[59]

On September 9, 1919, the police actually abandoned their posts and went on strike. Crowds immediately gathered in the streets, endangering property and engaging in large scale rowdyism.[60] The hastily recruited volunteers, who put in appearance the following morning, proved powerless. The Mayor then called out the Boston companies of the State troops, a power which he shared with the Governor, and assumed command of the police under a forgotten statute of 1885. By these measures quiet was fully restored and the police strike continued like an ordinary strike. The Boston Central Labor Union made a gesture of solidarity with the police strikers by ordering a vote by unions on a general strike. On the afternoon of the third day of the strike Governor Calvin Coolidge, destined to fame as the savior of Boston from anarchy, came into the situation by announcing that he was in command. He appealed to the Secretary of War for aid in the event of a general strike.[61]

On the fourth day the strike seemed waning. Coolidge in a proclamation charged the police with deserting their duty, and affirmed that no striker would be taken back.[62] The officers of the Central Labor Union and of the Policemen's Union urged the Governor to permit the strikers to return as individuals, with the matter of affiliation with organized labor to be held in temporary abeyance.[63] Coolidge referred them to the Police Commissioner, who bluntly declared the strikers' posts vacant. The impetus for a general strike failed to develop strength, the only group favoring it being the United Hebrew Trades with 30,000 members. The strike was lost. The Police Commissioner began rebuilding his police force by hiring new men, and on August 25, Coolidge reiterated in a proclamation that none of the strikers was eligible for reinstatement.[64]

The general sympathetic strikes in Seattle and Winnipeg involved in many cases a defiance by locals of the duly constituted

[59] *Ibid.*, September 9, 1919.
[60] *Ibid.*, September 10, 1919.
[61] *Ibid.*, September 10–12, 1919; *New York Call*, September 12, 1919.
[62] *Boston Transcript*, September 12, 1919.
[63] *New York Call*, September 14, 1919.
[64] *Boston Transcript*, September 15–17, 1919; *New York Call*, September 26, 1919.

authorities in their own international organizations—a rebellion against the international control often combined with another transgression against the union constitution which strictly enjoins breaches of trade agreements with the employers. Yet in these strikes the insurgency against higher union authority did not point towards a revolutionizing of the labor movement but was fully accountable as a manifestation of the war-begotten spirit of solidarity with other trades. In the next three struggles in 1919–20,—the strikes in the printing trades, by the longshoremen of New York, and in the nation-wide switchmen's strike,—"outlaw" action by impatient local groups was the expression of the postwar militancy.

The struggle between the administration and the insurgent groups in the printing trades centered around the 44-hour week and a $14.00 increase in pay. In the International Pressmen's Union, charges of financial mismanagement against the International officers was an added cause of strife. The spark that ignited the opposition fire was a vote ordered by the International Office on an assessment of one day's pay and twenty-five cents a month per member. The assessment was voted but charges of trickery were raised.[65] The Philadelphia pressmen's union doubted the statement of the International Office that the assessment was necessitated by the loss of revenue incidental to the drafting of members into military service [66] and called an extra-legal conference attended by other important locals. The Chicago pressmen's union went to court to prevent the International levying the assessment. Subsequently, the Chicago Federal court issued an injunction to that effect.[67] The Chicago union in agreement with other big locals set up a committee to investigate and make plans for overhauling the financial structure of the International Pressmen's Union.[68] The same Chicago local accompanied this by bringing suit in the Federal court of the Eastern Tennessee District charging the President, Major George P. Berry, with misuse of funds.[69] Berry was opposed by the larger locals but was able to maintain his control by a system of voting which placed them at a disad-

[65] *History of the Suit of the Chicago Printing Pressmen's Union against the Officers of the International Printing Pressmen and Assistants' Union of North America*, pamphlet, p. 1.

[66] *American Pressman*, June 1919, pp. 22–26.

[67] *History of the Suit of the Chicago Printing Pressmen's Union, et cetera*, pp. 7–9.

[68] *Ibid.*, p. 11.

[69] *Ibid.*, pp. 16–24.

vantage. Two New York pressmen's locals refused to pay their dues and their charters were revoked.

At this moment the recently organized Joint International Conference Council composed of printing employers and the five International presidents of the printing trades, agreed to introduce the 44-hour week on May 1, 1921. It went to a referendum vote of all the unions and though defeated in Typographical Union No. 6 of New York City by the overwhelming vote of 5656 to 618, carried throughout the country by a majority of over 12,000. The membership of the International Pressmen's Union also approved the proposal.[70] The stand of Typographical Union No. 6 was shared by the other New York printing trade unions. These had agreed earlier in the year to make a joint demand for a general increase of $14.00 a week and for the 44-hour week effective on October 1, 1919.[71]

Following the withdrawal by President Berry of the charters of the two New York pressmen's locals for non-payment of per capita tax, a campaign to "reorganize" the expelled locals was begun by the International Office. The expelled locals took the offensive and on September 5, 1919, demanded that the Publishing Printing Company discharge two pressmen who had refused to remain with the outlawed locals. The Company refused and the plant was tied up.[72] Thereupon the employers' association announced that after September 30 only pressmen in good standing with the International would be employed.[73]

The rebellious pressmen were effectively though unofficially supported by the other local printing crafts, who did not strike but took "vacations" as individuals. Typographical Union No. 6 chose this method of striking against the delay of the 44-hour week and the fifty dollars wage, so as not to render itself liable to expulsion with the loss of benefits.[74] A further precaution was an "order" by the local officers to the vacationists to return to work which no one expected would be observed.[75] The International officers of both the Pressmen's and Typographical unions denounced the

[70] Portenar, A. J., "Vacations in the Printing Industry," *Monthly Labor Review*, January 1920, pp. 271–272.

[71] *New York Times*, September 20, 1919; *Typographical Journal*, May 1919, pp. 456–459.

[72] *Ibid.*, p. 274.

[73] *Ibid.*, p. 274.

[74] *New York Call*, October 2, 1919.

[75] Portenar, *op. cit.*, p. 276.

strikers as Bolsheviks. Typographical Union No. 6 threw back the charge, stressed the well-recognized conservatism of its membership, and declared its "community of interests" with the pressmen.[76] The striking pressmen and "vacationizing" printers set up a joint negotiation committee. On October 1st, the strike became general in all the job print shops. For the time being President Berry of the Pressmen and President Scott of the Typographical were unable to break the strike.[77]

The larger out-of-town pressmen's locals supported the New York strike, Chicago and Philadelphia voting to assess their membership.[78] The New York Central Labor Council charged President Berry with maintaining a rotten borough system which disfranchised most of the pressmen. Pressure by the Executive Council of the American Federation of Labor subsequently forced the Central Labor Union to rescind its support of the striking pressmen and "vacationists." In the meantime the International officers were busy recruiting strikebreakers throughout the country. On October 29, the employers' conference committee offered a $6.00 increase in wages and agreed to arbitrate all other questions. Typographical Union No. 6 defeated it by a vote of 2500 to 17.[79] By this, however, Typographical Union No. 6 laid itself open to discipline by the International Union[80] under a rule in the constitution which gives the Executive Council authority to suspend any local "which violates its contract or which refuses arbitration in any dispute which may arise in that contract or in the negotiation of a new agreement."[81] The International Office was prompted to act against No. 6 not only by the desire to crush the rebellion but also by fear that the trouble might lead to the open shop. Thus entrapped, Typographical Union No. 6 capitulated and its members returned from their vacations. With the return of the vacationists the "outlaw" pressmen's strike was equally at an end.

On October 7, 1919, an unauthorized strike of 25,000 longshoremen completely paralyzed the Port of New York.[82] It was a protest against the award of the National Adjustment Commission, estab-

[76] *New York Call*, October 6, 1919.
[77] *Ibid.*, November 10, 1919.
[78] *Ibid.*, November 5, 1919.
[79] Portenar, *op. cit.*, p. 277.
[80] *New York Times*, November 25, 1919.
[81] *Typographical Journal*, December 1919, pp. 619–620.
[82] *New York Times*, October 9, 1919.

lished in August 1917, by an agreement between the shipping interests, the International Longshoremen's Association and the departments of the Federal government concerned with marine transportation.[83] After the Armistice, the power of the National Adjustment Commission having expired, it was revived seven months later by an agreement between the shipping companies, the stevedores and the International Longshoremen's Association.[84]

The renewed National Adjustment Commission passed in October on the demands of the longshoremen for an increase from 65 cents to a dollar an hour and two dollars an hour for overtime. By a vote of 3 to 2 it allowed a 5 cents per hour increase for straight time and 10 cents for overtime. As soon as the award was published, an angry strike broke out. The International officials were powerless to hold the men on the jobs and were even denied a hearing. In the words of the leader of the insurgents, an old foe of President T. V. O'Connor, "the issue involved was a wage increase to meet the rising cost of living." [85] The Adjustment Commission admitted that the cost of living had outstripped wages, but based its refusal on a confident prediction of a change in the trend of retail prices.

The International officials, supported by the entire press of New York City, stood for the sacredness of contracts. At the end of the third week the men began to drift back to the jobs. By the middle of November the strike was over. The protest was, however, not in vain. The wage case was reopened and the Commission added another 10 cents an hour, effective December 1, 1919, on the ground that the cost of living failed to show a substantial decline.[86]

The biggest manifestation of "insurgency" in unionism was the switchmen's strike in April 1920, beginning in Chicago and spreading to nearly every section of the country. It was an expression of resentment of thousands of railroad workers who had waited patiently for the government to raise their wages to meet the increased cost of living.

In January 1919, while the railroads were still under Federal

[83] Squires, Benjamin M., "The Longshoremen's Strike on the New York Waterfront," *Monthly Labor Review*, December 1919, p. 101.
[84] *Ibid.*, pp. 101–103.
[85] *New York Call*, October 14, 1919.
[86] Squires, *op. cit.*, pp. 112–114.

control, the shop crafts demanded increased wages and improved working conditions. The other categories of railway labor followed suit. Director-General Walker B. Hines, transmitted the demands to President Wilson. On August 25th, the President urged the railroad workers against pressing their demands, and promised action to lower the cost of living. As this promise remained unfulfilled, the railroad men renewed their demand in February 1920. This time the Director-General refused, due to the impending termination of Federal control.[87]

On February 28, 1920, the Transportation Act creating the Railroad Labor Board was passed. This act provided that all controversies between the workers and employers engaged in the railroad industry should if possible be decided between the parties concerned acting through joint Adjustment Boards.[88] Accordingly the railwaymen made their demands for wage increases to the railroad managers on March 10th. Direct negotiations produced no results.[89]

For over a year the railway employees had been watching the soaring cost of living and other trades receiving increase after increase under threat of striking. They, on the contrary, had received nothing but optimistic forecasts of future automatic adjustment between their pay and the cost of living. In the minds of the men the pent-up resentment against this injustice became directed not only against the dilatory government officials and the railway managers but also against their own union officials who apparently bore this situation with a patience unbecoming in leaders when their followers are subjected to great strain. The removal of John Grunau as yard foreman in the Chicago yards of the Chicago, Milwaukee and St. Paul Railroad on April 1, 1920, was the spark that set aflame the accumulated tinder. The Brotherhood of Railroad Trainmen had demanded his replacement by a road conductor on the ground that the type of train had been changed.[90] Grunau's right to hold his particular job, which the management denied, was of itself of minor significance. Under normal conditions it would have been adjusted by the division chairman of his organization. Now, however, this precipitated a

[87] *Monthly Labor Review*, September 1920, p. 504.
[88] Section 301, "Transportation Act, 1920," United States Statutes at Large, Vol. XLI, Part 1, p. 469.
[89] *Monthly Labor Review*, September 1920, p. 504.
[90] Love, John, "The Wreck on the B. R. T.," *Survey*, April 24, 1920, p. 136.

strike that demoralized the railways of the country, and caused the suspension of industries employing many thousands.

In two days the strike which began as a local protest involved every railroad in the Chicago area. By nightfall of April 4, over 9000 switchmen were out. Grunau was the leading spirit in the Yardmen's Association of Chicago, a new independent union which now took command of the strike. It presented wage demands to the roads in the Chicago switching district.[91]

The officials of the railroad brotherhoods were frightened by the rapid spread of this "outlaw" strike. The division chairmen of the trainmen's Brotherhood on 20 roads and three national Vice-Presidents issued an ultimatum to the strikers, threatening them with expulsion unless they returned to work on or before April 7th.[92] At the same time the Brotherhood procured between 400 and 500 yardmen to break the strike.

The strike was assuming ever growing proportions. Before the end of the first week the general manager of the Chicago Union Stockyards announced that unless cattle receipts increased immediately, the stockyards would have to shut down.[93]

Another ultimatum to the strikers called their attention to the fact that under the Transportation Act a new mode of procedure for securing wage increases had been established and that Grunau's outlaw union would have no standing either before the Adjustment Boards or before the Railroad Labor Board. The strikers were threatened with the loss of seniority if still absent from their jobs on April 8.[94]

The ultimatum was of no effect on the Chicago strikers. Moreover the strike contagion spread to points as far apart as Los Angeles and Jersey City, and included St. Louis, Kansas City, Omaha, and Detroit.[95] The engineers, firemen, and conductors joined with the striking switchmen. Against the common foe, who was threatening their position and their standing with the railway companies, all the brotherhoods launched a united assault. William G. Lee, President of the Brotherhood of Railroad Trainmen, assured trainmen and others that they would be "fully protected in accepting positions made vacant by such illegal strike." [96] W. S. Carter of the Brotherhood of Railroad Firemen

[91] Love, *op. cit.*, April 24, 1920, p. 136.
[92] *Chicago Tribune*, April 5, 7, 1920.
[93] *Ibid.*, April 6, 1920.
[94] *Ibid.*, April 7, 1920.
[95] *Ibid.*, April 9 and 11, 1920.
[96] *Ibid.*, April 7, 1920.

and Enginemen, when he appealed to the strikers to return to work and honor their contracts, could scarcely get a hearing in Chicago, Hammond, and Cleveland.[97]

The increasing chaos on the railways hastened the appointment by President Wilson of the Railroad Labor Board. On April 20th, four days after its appointment, the Board began hearings on the demands made by the representatives of the brotherhoods.[98] The Board refused a hearing to the "outlaw" yardmen's associations speaking for the strikers, on the ground that they had flaunted the due procedure prescribed in the Transportation Act.[99] The Brotherhood of Railroad Trainmen and the Switchmen's Union of North America were recruiting strikebreakers to replace the strikers. The Federal government added its pressure on the strikers. John Grunau and 22 other strike leaders in Chicago were charged with violation of the Lever Act and the Sherman Act.[100]

Gradually the men began to drift back to work. The service was improving notwithstanding that the most experienced and efficient railroad men were amongst the several outlaw unions that had sprung up in the midst of the strike. For this improvement the Brotherhood-recruited strikebreakers were mainly responsible. To make their union discipline feared, the four transportation brotherhoods signed a joint agreement with the managements, barring the rehiring of any employee who had participated in the outlaw strike, except as a new employee. The Brotherhood of Railroad Trainmen went further and passed on individual applications for re-employment, seeking to weed out the more active "rebels." In the Chicago district, out of 450 applicants, officers of the trainmen caused the complete rejection of all but 137, who lost their seniority.[101]

The grant by the Railroad Labor Board of a general wage increase in July 1920 helped to allay dissatisfaction amongst the railroad workers. On August 20 Grunau demanded the restoration of the seniority rights held by the strikers prior to the strike, under threat to continue the strike indefinitely. He claimed that the operating executives were eager to rehire the experienced strik-

[97] *Brotherhood of the Locomotive Firemen and Enginemen's Journal*, June 15, 1920, pp. 17–18.
[98] *Railroad Trainman*, July 1920, p. 436.
[99] *Ibid.*, June, p. 357; Section 351, Transportation Act, 1920.
[100] *Chicago Tribune*, April 16, 1920.
[101] *Railroad Trainman*, October 1920, p. 621.

ers, but were prevented by the orders of the higher management.[102]

An outcome of the strike was the United Association of Railway Employes of North America, formed in July as a railway man's industrial union and as a merger of the several local "outlaw" strike groups. It was not a revolutionary union, as it was eager to co-operate with the Railroad Labor Board. Grunau, of course, was the head.[103] On September 20, the new organization ended the strike.[104] Eventually the great majority of the strikers found their way back to railway employment. The insurgent union never secured a foothold.

Insurgency in unions was a feature of the immediate postwar period.[105] However, in the case of the New York pressmen it cropped out again in 1923, precipitated by a bitter disappointment with an arbitration award but really the result of a long smoldering discontent with the high handed leadership in the International Union. The "outlaw" pressmen's strike of 1919 was in the book and job branch of the industry. The 1923 trouble occurred in the newspaper branch.

In February 1921, when the New York Newspaper Publishers' Association and the newspaper pressmen's local union No. 25 were due to renew their agreement, the publishers demanded radical changes in the working rules. Finally it was agreed that the differences should be settled by conciliation and failing that, by arbitration.[106] Conciliation made no headway and the publishers demanded arbitration on many points, including the hours of work, the number of men on a press, the union jurisdiction over shop foremen, and the employers' right to transfer men from one press to another. The local union objected to the raising of any question covered by union "International Law." The International President, Berry, and the Commissioner of the American Newspaper Publishers' Association then took a hand.[107]

Berry naturally supported the position of the local union, as International Law was not arbitrable under the traditional

[102] *New York Call*, August 20, 1920.
[103] *Ibid.*, August 22, 1920.
[104] *Ibid.*, September 21, 1920.
[105] The insurgency in the miners' union, in 1919, will be treated in Chapter XXXVI.
[106] International Printing Pressmen and Assistants' Union of North America, *Proceedings of 29th Convention*, 1922, p. 31.
[107] *Ibid.*, p. 31.

policy of all printing trades unions. The publishers forced the issue by threatening the local union with severance of all relations. Local No. 25 yielded under the threat except that it reserved the right to demand from the arbitration board assurance in advance that the issues non-arbitrable under International Law would not be considered.[108]

The publishers demurred to these limitations and, to avoid rupture, the local officers accepted all of the employers' conditions. Judge Manton of the Federal Circuit Court of Appeals was selected as the chairman of the arbitration board. Hearings were begun on January 15, 1923, and a decision handed down on February 25. The judge gave the employers a sweeping victory. Time hallowed rules were summarily revised, regardless of their real purport. It was a decision based on the master and servant rule of the "common law" rather than on a knowledge of the established practices of the industry or long recognized trade union regulations.[109]

The award increased night hours from 38 to 48. It gave the employer the right to decide the number of men on a press, and the opportunity to speed up by shifting employees from one press to another. The employer likewise could prohibit union affiliation of foremen.

To the pressmen the award was like a bombshell. The official organ of the International characterized Judge Manton's award as "the most impracticable one that has ever been rendered in a newspaper controversy. . . . The arbitrator concludes to set up a new code all his own without regard to the experiences that men who know the newspaper business and the precedents that have been worked out as a result thereof. The analysis . . . is academic and indicates a complete lack of understanding of the newspaper industry." [110]

The meeting called to ratify the award lasted all night, and no morning papers were printed that day. It was at last decided to accept the award, but a committee tried to obtain voluntary

[108] *Ibid.*, pp. 157–158.

[109] The following is a sample of the judicial logic in this arbitration case: "The employer is deemed to have superior choice, control and direction of an employee and the employee represents his will and not merely in the ultimate result of the work, but in details. The 'employee' is one who engages in the performance of the proper duties assigned to him by his employer and contracts to do so for pay. He labors for the pleasure of another." (*New York Times*, February 23, 1922.)

[110] *American Pressman*, April 1922, pp. 25–26.

adjustments from the employers.[111] A section of the employers did not take full advantage of the award.[112] In many cases they yielded under pressure of their employees. Consequently there grew up a variety of working rules and wage scales for pressmen in the newspaper shop offices of New York. To that extent the job of negotiating a new agreement, which faced the New York local in 1923, was rendered more difficult.

President Berry was invited by Pressmen's local No. 25 to help negotiate the new contract. The employers now demanded formal guarantees that the stipulations in the new contract would be observed without argument before further matters were considered. Matters reached an impasse and at a special meeting of local No. 25 an overwhelming vote was cast to apply to the International Office for permission to go on strike. This the International firmly refused.[113]

The employers now demanded that all violations of the Manton award must end. Unless an agreement was concluded by July 16, they threatened that all relations with the union would cease. To placate the employers local No. 25 promised to eliminate itself from the situation and to turn the dispute over to the International if by September 1, 1923, no agreement had been concluded.[114]

The International and the publishers made slow progress in their negotiations. The membership, resentful over the Manton award and the now apparently interminable delays, reached the end of their patience and without waiting for the results of another meeting between Berry and the publishers, local No. 25 declared a strike on September 17, 1923.[115] All papers except the socialist *New York Call*, which accepted the union terms, ceased to appear. In their places appeared the *Combined New York Morning Newspapers*, an eight-page journal carrying the names of the several morning papers.[116]

The International officers declared the New York strike a violation of the union constitution and thus an "outlaw" strike. Another count in the indictment by President Berry was violation

[111] International Printing Pressmen and Assistants' Union of North America, *Proceedings of 29th Convention*, 1922, pp. 157–158.
[112] *Ibid.*, pp. 37–38.
[113] *Ibid.*, 1924, p. 159.
[114] *Ibid.*, p. 159.
[115] *Ibid.*, pp. 159–160.
[116] *The Combined New York Morning Newspapers*, September 19, 1923.

of the existing arbitration agreement between local No. 25, the International and the New York Newspapers Publishers' Association. The strike leaders in extenuation pointed out that the membership of local No. 25 with only one dissenting vote had approved the strike.[117] The strike leaders offered to end the strike on condition of scrapping the Manton award relative to shop rules and maintenance of existing wages. If the negotiations for a new agreement then proved unsuccessful, they were willing to go to arbitration.[118] The publishers refused to open negotiations with the insurgent local and called upon Berry to revoke its charter. Berry informed them that having engaged in an "outlaw" strike, local No. 25 automatically became suspended.[119] Disregarding the strike leaders Berry proceeded to negotiate an agreement with the publishers. The agreement was based upon the dissolution of local No. 25 and the issuance of membership cards directly by the International. The agreement contained favorable changes in conditions. Wage rates for pressmen ranging from $32.00 to $54.00 a week were stipulated. The weekly hours of night workers were reduced to 41 and the day workers were to be employed 8 consecutive hours with a half hour for lunch making it 45 hours a week net. Night men received a $3.00 per week differential as well as a favorable change in the hours schedule.[120] The International was directly responsible for the carrying out of the agreement.[121]

The pressmen, however, remained out on strike. Berry determined to break the strike and telegraphed the pressmen's locals throughout the country to "send men to New York immediately. Draw upon the local treasurer or take such means as may be necessary to get them here. Expenses and compensation for lost time are guaranteed by the International Union." [122]

Berry called a membership meeting to consider the contract he negotiated. The strikers turned out in force but when their leader, David Simons, president of local No. 25, was refused the floor, the assembled pressmen filed out as a body shouting insults at the International officers on the platform.[123]

[117] *New York Call*, September 19, 1923.
[118] *Combined New York Morning Newspapers*, September 20, 1923.
[119] *Ibid.*, September 21, 1923.
[120] *American Pressman*, October 1923, pp. 24–25.
[121] *Combined New York Morning Newspapers*, September 22, 1923.
[122] *New York Call*, September 23, 1923.
[123] *Combined New York Morning Newspapers*, September 24, 1923.

The strike continued unabated. There was no break in the ranks and New York had to be content with the *Combined Morning Newspapers.* A conciliation committee composed mainly of foremen, mediated between Berry and the strikers and suggested that the membership of local No. 25 apply for reinstatement as a body. Berry accepted and this move guaranteed any striker against being refused re-employment. The men went back to their jobs and were reinstated in the International. A single exception was made in the case of David Simons. Subsequently he was reinstated in the union by court decree.[124] The International officers were moved to act with ruthlessness in suppressing this rebellion, first, to prove to the employers that to them contractual obligations are sacred, and, second, to demonstrate to the membership the hopelessness of challenging constituted authority in the union.

The "insurgency" in established unions and the unusual outbreaks by the white collar groups during 1919–20, all bespeak a new spirit of labor which to several contemporary observers appeared to border upon revolutionary class consciousness. But that spirit was one of solidarity and not revolution. For the reasons of this sudden solidarity and aggressiveness one need not search in the realm of the mysterious. Although the grievances of the shipyard workers in Seattle were not the same as those of the textile or steel workers, there was yet the common complaint that wages were falling behind the cost of living. Another factor was the revival of the movement for the eight-hour day and the 44-hour week. Shorter hour demands have made for greater fellow feeling between trades and industries ever since the ten-hour movement in the thirties of the last century.

There was also the factor of the predominance in many unions of a new and untrained membership after the mushroom war growth. Having come in when the barriers to unionism were for the time being down, they little realized the dangers besetting unions and their extreme fragility in the American set-up. The new member, while more open to the appeal of solidarity, was at the same time more materialistic in that he expected immediate personal benefits. But whether he was moved by solidarity or by a wish for immediate results, he invariably insisted upon action.

[124] International Printing Pressmen and Assistants' Union of North America, *Proceedings of 30th Convention*, 1924, p. 167.

CHAPTER XXXV

POST-WAR MILITANCY: STEEL

The defeat of the Amalgamated Association of Iron, Steel and Tin Workers in 1909 was the death knell of unionism in the plants of the United States Steel Corporation. Not until the war did it occur to labor to attempt regaining this strategic lost province of unionism.

The Chicago Federation of Labor was first to point to the war created opportunity to retrieve the loss of steel. On April 7, 1918,[1] it instructed its delegate to the convention of the American Federation of Labor, meeting in June, to urge the beginning of an organizing campaign in the steel mills. This delegate, William Z. Foster, then an ex-syndicalist, but later the outstanding communist with a trade union background,[2] came forth in the convention with a concrete plan to call a conference of the officers of the international unions with jurisdictions in the steel industry to set up machinery for a joint campaign.[3] The first preliminary conference was held during the convention. On August 1, a conference of officers of twenty-four iron and steel trade unions [4] met in

[1] Foster, William Z., *The Great Steel Strike*, B. W. Huebsch and Company, New York, 1920, p. 17; Saposs, David J., *Organizing the Steel Workers*, a report for the Bureau of Industrial Relations, 1921, p. 1.

[2] See Chapter XL.

[3] American Federation of Labor, *Proceedings*, 1918, p. 163.

[4] These were the International Brotherhood of Blacksmiths, Drop Forgers and Helpers; the Brotherhood of Boilermakers and Iron Ship Builders and Helpers of America; the United Brick and Clay Workers; the Bricklayers, Masons and Plasterers International Union; the International Association of Bridge, Structural & Ornamental Iron Workers; the International Hod Carriers, Building Laborers and Common Laborers of America; the International Brotherhood of Electrical Workers of America; the Amalgamated Association of Iron, Steel and Tin Workers; the International Association of Machinists; the International Union of Mine, Mill and Smelter Workers; the United Mine Workers of America; the International Molders Union of North America; the Patternmakers League of North America; the International Brotherhood of Foundry Employees; the United Association of Plumbers and Steamfitters; the Quarry Workers International Union of North America; the Brotherhood of Railway Carmen of America; the International Seamen's Union of America; the Amalgamated Sheet Metal Workers International Alliance; the International Brotherhood of Stationary Firemen and Oilers; the International Union of Steam and Operating Engineers; the International Brotherhood of Steamshovel and Dredgemen; and the Switchmen's Union of North America. (Saposs, *op. cit.*, pp. 7–8; Foster, *op. cit.*, pp. 23–25.)

Chicago under the chairmanship of Gompers.[5] A program of co-operative action was devised. A National Committee for the Organizing of the Iron and Steel Industry was chosen with one from each international union. Gompers was made chairman, John Fitzpatrick, President of the Chicago Federation of Labor, vice-chairman, and W. Z. Foster secretary. All the unions agreed on a uniform initiation fee of three dollars except the bricklayers who reduced their fees to $7.50 and the molders and pattern-makers who reduced it to $5.00. The National Committee planned to organize through mass meetings. After the recruits were signed up they were separated by crafts and formed into local unions of the respective trades. These steel locals were to be brought together by locality into iron and steel workers' councils analogous to building trades councils.[6]

A third conference in Chicago on August 16, with the added representation of the Chicago Federation of Labor and the Chicago Building Trades Council, decided to begin the campaign in the Calumet steel district, around Chicago, each international making an initial donation of $100.[7]

The campaign was an immediate success. The men literally stampeded to the unions in Gary, Hammond, Indiana Harbor, and South Chicago. The United States Steel Corporation confirmed it by an announcement of the basic eight-hour day, commencing October 1.[8]

At the end of September, the Calumet district was virtually organized.[9] The Pittsburgh district was next to be organized.[10] On October 11 the Bethlehem Steel Company acknowledged the triumphant eastward march of unionism by granting the basic eight-hour day.[11] The campaign was uniformly successful.[12]

Repressive measures were added to improvements in conditions to halt the campaign—discharges of union men, prohibition of meetings, and the like.[13] Yet the campaign did not slacken. By

[5] United States Senate Committee on Education and Labor, *Investigation of Strike in Steel Industry*, 66th Congress, 1st Session, p. 8.
[6] Saposs, *op. cit.*, pp. 10–11.
[7] *New York Call*, August 18, 1918.
[8] *Amalgamated Journal*, October 10, 1918, p. 1.
[9] United States Senate Committee, *Investigation of Strike in the Steel Industry*, p. 104.
[10] *Pittsburgh Labor Tribune*, October 3, 1918, p. 1.
[11] *Pittsburgh Gazette-Times*, October 12, 1918.
[12] *Survey*, November 2, 1918, pp. 130–131.
[13] *Amalgamated Journal*, December 5, 1918, p. 1.

January 1919 every steel district saw new locals. Mass discharges of union men in February and March 1919 through all districts gave testimony to the sweep of this movement.[14]

On May 15, 1919, President M. F. Tighe, of the Amalgamated Association of Iron, Steel and Tin Workers, without consultation with the National Committee, asked the United States Steel Corporation for a conference. Gary acknowledged Tighe's letter, but reminded him that the United States Steel Corporation "does not confer, negotiate with or combat labor unions as such." [15] Tighe explained his seeking a separate conference on the ground that his union was limited to the steel industry and hence it had more at stake than the other unions.[16]

On May 25, 1919, the National Committee assembled in Pittsburgh a conference of 583 delegates from 400 iron and steel locals. John Fitzpatrick presided. The conference signalized preparedness to begin negotiations with the companies.[17] Again President Tighe showed an unmistakable separatist tendency. In a letter to Foster on May 26, he reserved freedom of action.[18]

On May 27 the National Committee appointed a Conference Committee to negotiate with the companies, composed of Gompers, Fitzpatrick, D. J. Davis of Tighe's organization, Edward J. Evans of the electrical workers, William Hannon of the machinists, and Foster.[19] As if in reply to the National Committee's announcement of readiness, discharges for union membership at once multiplied. Evidently an efficient army of undercover men, directly and indirectly employed, was at work.[20]

On June 20 Gompers formally advised Judge Gary of the campaign and asked him to receive the Conference Committee. The letter went unanswered.[21] In June, Fitzpatrick enthusiastically informed the convention of the American Federation of Labor that the first one hundred thousand had been enlisted.[22]

[14] Commission of Inquiry of Interchurch World Movement, *Report on the Steel Strike of 1919*, Harcourt, Brace and Howe, New York, 1920, p. 171.

[15] *Pittsburgh Gazette-Times*, May 28, 1919.

[16] Amalgamated Association of Iron, Steel and Tin Workers, *Journal of Proceedings of Convention of 1920*, p. 14119.

[17] *Amalgamated Journal*, June 5, 1919, p. 1.

[18] Amalgamated Association of Iron, Steel and Tin Workers, *Proceedings*, 1920, p. 14120.

[19] *Pittsburgh Gazette-Times*, July 21, 1919.

[20] Commission of Inquiry of Interchurch World Movement, pp. 210–222.

[21] Foster, *op. cit.*, pp. 74–75.

[22] American Federation of Labor, *Proceedings*, 1919, p. 421.

The newly organized thousands were eager for action. The officials of the international unions counseled moderation. On July 20 a conference of the twenty-four co-operating international unions adopted, 22 to 2, a resolution to circulate a strike ballot. The Amalgamated Association of Iron, Steel and Tin Workers cast one of the two negative votes.[23] The demands were drawn up as follows: The right of collective bargaining; reinstatement of all men discharged for union activities with pay for time lost; the eight-hour day; one day's rest in seven; the abolition of the twenty-four hour shift; an American living wage; double pay for overtime; the check-off and seniority; and the abolition of company unions and of physical examinations.[24]

The membership voted overwhelmingly for a strike unless the companies agreed to meet with the unions. On August 20 representatives of the twenty-four co-operating international unions met with the National Committee. The Conference Committee was instructed to make another effort to get a meeting with the United States Steel Corporation, and to set a date for a strike if unsuccessful within ten days.[25] The Conference Committee journeyed to New York City to seek a meeting with Gary. He refused to meet the Committee in person and requested their proposals in writing. The Committee immediately complied, but was told that a conference was impossible as they had no authority to speak for the employees of the United States Steel Corporation.[26]

Meanwhile repressive action against the steel unions multiplied in intensity, notably in Western Pennsylvania. Meetings were prohibited, organizers expelled, and the employees terrorized by police and deputies. In Breckenridge, in an effort to prevent organization, a woman organizer was killed under especially revolting circumstances.[27]

On September 4 Gompers and the Conference Committee appealed to President Wilson to use his influence to bring about a conference with the steel companies.[28] On September 9 representatives of the unions again met with the National Committee. Many of the officials of the internationals present were eager to

[23] Amalgamated Association of Iron, Steel and Tin Workers, *Proceedings*, 1920, p. 14121.
[24] *New York Call*, July 24, 1919.
[25] *Amalgamated Journal*, August 28, 1919, p. 1.
[26] *Pittsburgh Gazette-Times*, August 28, 1919.
[27] *New York Call*, September 2, 1919.
[28] Foster, *op. cit.*, p. 84.

avoid a strike. However, even the most reluctant of them could see that the mass discharges for unionism robbed the unions of any choice. After a two days' consideration the vote was unanimous to call a general strike for September 22 unless in the meantime Judge Gary receded from his stand.[29]

With a strike obviously unavoidable President Wilson interfered through his secretary, Joseph Tumulty. He asked Samuel Gompers to seek a postponement of the strike until the meeting of the President's Industrial Conference.[30] Gompers conveyed the President's wishes to the leaders. These saw themselves forced to refuse the President. They were alive to the danger of losing control of the movement, resulting in an epidemic of sporadic and unauthorized strikes.[31] After the answer was given to the President, Johnston, of the Machinists, advised postponement. But Tighe of the Amalgamated in behalf of the National Committee, made it plain to Johnston that although he personally was opposed to strikes, he saw no way of stopping it now, short of the reinstatement of the men discharged for union activity.[32] On September 17 Gary again denied the right of the Conference Committee to speak for the employees of the United States Steel Corporation, and reaffirmed his belief in the open shop.[33]

On the same day the leaders of the steel unions in session defeated a motion to rescind the strike order for September 22, and the National Committee was given power to co-ordinate the efforts of the several unions as well as make all settlements.[34] To justify itself in the eyes of President Wilson, the National Committee gave a long recital of instances of oppression and of denial of rights by the steel companies and the local authorities in the steel centers.[35]

The National Committee gave out the number on strike as 343,100, on September 23. Every steel producing region was affected and nearly every mill was wholly or partially shut down.[36] Clashes between strikers and deputies and private guards began at

[29] Amalgamated Association of Iron, Steel and Tin Workers, *Proceedings*, 1920, p. 14124.
[30] See Chapter XXXVII.
[31] *New York Call*, September 12, 1919.
[32] Amalgamated Association of Iron, Steel and Tin Workers, *Proceedings*, 1920, p. 14130.
[33] *Pittsburgh Gazette-Times*, September 18, 1919.
[34] *New York Call*, September 19, 1919.
[35] United States Senate Committee on Education and Labor, *op. cit.*, pp. 6–7.
[36] Saposs, *op. cit.*, pp. 126–127.

once, especially in connection with the suppression of meetings.[37] The United States Senate adopted Senator Kenyon's resolution to investigate the cause of the strike.[38] J. Pierpont Morgan wired Gary congratulations on his stand for the open shop.[39] Not the least of the fighting fronts was the propaganda front of the Steel Corporation. The press of the country with few exceptions centered on the radical past of William Z. Foster, the secretary of the National Committee.[40] His syndicalistic views published in 1912 were made to read like his latest utterances. Forgotten were his patriotic services in the Liberty Bond campaigns and as a four-minute speaker.[41]

In Western Pennsylvania the suppression of all meetings and the denial of free speech was complete.[42] The Strike Committee appealed to Governor Sproul whose reply was that the sheriffs and local police officers had complete control.[43] On September 25 the Bethlehem Steel Company refused to confer with the Strike Committee and its employees joined the strike.[44]

By contrast with Pennsylvania, West Virginia did not abrogate the strikers' constitutional rights. In Wheeling with 15,000 on strike, the sheriff deputized a number of the strikers and 33 delegates to the Wheeling Trades Assembly to keep the peace. Strikers' meetings were freely held and were opened with prayer. Ohio likewise respected the strikers' rights.[45]

Early in October, the Industrial Relations Department of the Interchurch World Movement appointed a Commission of Inquiry to investigate the strike. The Commission held hearings throughout the steel districts and employed a number of investigators to collect data. It also sought to bring about a conference between the conflicting sides, but the companies rejected the invitation.[46]

On October 4 a clash between strikers and Negro strikebreakers

[37] *Pittsburgh Gazette-Times*, September 24, 1919.
[38] *Ibid.*, September 24, 1919.
[39] *New York World*, September 23, 1919.
[40] *Pittsburgh Gazette-Times*, September 24, 1919.
[41] Testimony of W. Z. Foster before United States Senate Committee, p. 399.
[42] Soule, George, "Civil Rights in Western Pennsylvania," *Public Opinion and the Steel Strike*, Supplementary Report of Interchurch World Movement, New York, Harcourt Brace and Howe, 1921, pp. 190–217.
[43] *Pittsburgh Gazette-Times*, September 25, 1919.
[44] *New York Call*, September 30, 1919.
[45] Soule, *op. cit.*, pp. 167–168.
[46] Interchurch World Movement, *Report on Steel Strike*, p. 6.

in Gary, Indiana, shifted the center of the strike interest from Pittsburgh to the Chicago district. The Governor immediately dispatched eleven companies of the Indiana National Guard to Gary, and 1000 Guardsmen to Indiana Harbor.[47] The strikers, many of whom were returned soldiers from overseas, showed their contempt for the militia and staged a forbidden parade. As a result Governor Goodrich appealed for Federal troops. Several companies, commanded by General Leonard Wood, were sent into Gary. Immediately after his arrival, General Wood declared martial law and limited picketing.[48]

In October the companies were making appreciable progress in restoring operations with deserters from the ranks of the strikers and large numbers of imported strikebreakers, mainly Negroes.[49] The dwindling resources of the men on strike increased defections. On October 28 the Executive Council of the American Federation of Labor issued an appeal for aid to the steel strikers. The National Committee achieved excellent results from its limited resources through a network of 45 commissaries. Food was rationed and distributed twice a week. An efficient control system was in operation.[50]

The Pennsylvania State Federation of Labor held a special convention and made a gesture in the direction of a general strike for upholding freedom of speech and assemblage.[51]

As the month of November wore on, it became increasingly evident that the men were returning to work. President Tighe on a journey through the Chicago area found the mills ranging in their operations from 75 per cent of full capacity at Gary to 90 per cent at Indiana Harbor.[52]

During December the ranks of the strikers suffered further losses. On January 5, 1920, the Executive Board of the Amalgamated Association of Iron, Steel and Tin Workers urged the National Committee to declare the strike at an end. The National Committee complied on January 8.[53] Twenty lives were lost in the strike, all but two of them, strikers. The total receipts of the

[47] *Chicago Tribune*, October 5 and 6, 1919.
[48] *Ibid.*, October 7, 1919.
[49] *Pittsburgh Gazette-Times*, October 30, 1919.
[50] Foster, *op. cit.*, pp. 217–219.
[51] *New York Call*, November 3, 1919.
[52] Amalgamated Association of Iron, Steel and Tin Workers, *Proceedings*, 1920, p. 14134.
[53] *Amalgamated Journal*, January 15, 1920, p. 1.

National Committee were $418,141.14. The commissaries cost $348,509. The largest single donor was the Amalgamated Clothing Workers of America, with $100,000.[54] The National Committee was anxious to continue after the strike. To this Tighe was strongly opposed. Now that the strike had failed, he wanted tranquillity to enable his members to hold their jobs. He withdrew his organization from the Committee on January 27, 1920.[55]

The question of continuing the campaign in the steel industry came before the convention of the American Federation of Labor in 1920. It came up as a resolution condemning the Amalgamated Association of Iron, Steel and Tin Workers for withdrawing from the National Committee. It was referred by the convention to the Executive Council.[56] At its meeting on June 17, the Executive Council disbanded the National Committee.[57]

Had the strike taken place before the Armistice, the government might have forced the steel companies into a more conciliatory attitude. One year after the Armistice and with the country in the grip of an anti-radical scare, the steel companies found it an easy task to isolate the strikers both from the government and the public. But to the strategic superiority of the employers was also added the half-hearted if not defeatist attitude of the leaders of the 24 "co-operating" internationals, who were overawed by the power that they challenged as well as rendered ill at ease by the very depth of the response to the strike call by the several hundreds of thousands of foreign-speaking workers.

[54] Foster, *op. cit.*, pp. 221–223; Interchurch World Movement, *Report on Steel Strike*, pp. 176, 195–196.

[55] Amalgamated Association of Iron, Steel and Tin Workers, *Proceedings*, 1920, p. 14136.

[56] American Federation of Labor, *Proceedings*, 1920, pp. 392–393.

[57] *Amalgamated Journal*, June 24, 1920, p. 1.

CHAPTER XXXVI

POST-WAR MILITANCY: COAL

As in Great Britain the arena upon which postwar militancy showed itself on the largest scale and with the most frequent recurrence was the coal industry. During the war the danger to industrial government in the bituminous coal industry from the rapid growth of non-union West Virginia was neutralized by the extraordinary demand for coal. Above all, that industrial government and the miners' union which was its foundation, seemed to have come completely into their own as publicly recognized institutions through the recognition by the United States Fuel Administration. Yet the stability was, after all, only a passing stability.

The Fuel Administration was organized on August 23, 1917, under Harry A. Garfield. Before its establishment Secretary of Labor Wilson had averted strikes in Central Pennsylvania and in Alabama. In September, sponsored by the Fuel Administration, came the Washington Agreement, first its terms applying only to the Central Competitive Field and then extending to the other areas. An important clause, especially in the light of post-Armistice developments, provided for its continuance for the period of the war, but not to exceed two years from April 1, 1918.[1] On July 23, 1918, the Fuel Administration came to an understanding with the United Mine Workers on labor policies and established a bureau of labor with President White of the union, who resigned his presidency for the purpose, as one of the two joint heads.

In anthracite the regular agreement had to run until 1920 but in May 1917, the operators, to meet the competition for their labor by other industries, agreed to a wage adjustment. In December 1917, an agreement similar to the Washington Agreement was made in the anthracite field bringing a wage increase. In October 1918, the anthracite operators granted another $1.00 per day increase. The bituminous miners received no increases after the date of the Washington Agreement despite the soaring cost of living. The competition for labor in the bituminous areas was

[1] Bing, A. M., *op. cit.*, p. 97.

not so keen as in Eastern Pennsylvania. The Fuel Administration, while its labor bureau advised the bituminous operators to follow the example of the anthracite operators, was unwilling to order an increase, causing great unrest. In 1919 the rank and file and many local officials of bituminous miners' unions claimed that the war had ended with the Armistice on November 11, 1918, and hence the Washington Agreement was at an end. The government lent countenance to the miners' claim by disbanding the Fuel Administration.[2]

The unrest of the bituminous miners received emphatic expression in the "insurgent" strike in Illinois in August 1919. Illinois was the heart of the union with 90,000 members, and of all district organizations the most sensitive to the currents of feelings in the miners' movement. The officers of District 12, Illinois, on the theory that the Washington Agreement had not expired, refused to call a convention to formulate a new wage scale. Discontent with the district officials on internal grounds was another factor.

The opposition to the leaders came to the fore July 4, 1919, when the operators enforced the penalty clause in accord with the Washington Agreement against the miners who had joined the five days' strike for the release of Tom Mooney.[3] The flag of insurgency was raised in the Belleville sub-district. Traveling committees spread the protest movement and soon nearly all of District 12 was in its grip. District President Frank Farrington pleaded for a return to work pending the International convention,[4] but to no avail. Farrington admitted that 25,000 miners were out. The insurgent leaders claimed thrice the number.[5]

An insurgent district convention with 200 delegates from 141 locals met on August 20. Although the convention registered its insurgency by electing a policy committee superseding the regular officials, it voted to end the strike and to carry the grievances to the International convention,[6] to which it proclaimed its loyalty.

The district leaders picked up the challenge. With the permission of the International President, John L. Lewis, who had just

[2] Bing, *op. cit.*, pp. 98–99.

[3] *United Mine Workers' Journal*, January 17, 1918, p. 18; *Illinois State Register*, August 7, 1919.

[4] United Mine Workers of America, *Proceedings of 27th Convention*, 1919, Vol. II, p. 485.

[5] *Illinois State Register*, August 14, 1919; United Mine Workers of America, *Proceedings of 28th Consecutive Convention*, 1920, Vol. I, p. 446.

[6] *Illinois State Register*, August 20–22, 1919.

assumed office, they revoked the charters of 24 locals. These expulsions were subsequently upheld by the International convention in September 1919. After a two days' debate with John L. Lewis, William Green, and Frank Farrington on one side and Alexander Howat of Kansas leading the other side, the delegates from the expelled locals were denied seats.[7]

The convention was the largest in the history of the United Mine Workers. Its main business was the termination of the Washington Agreement. A Policy Committee of 150 had recommended in March 1919 its convening for that purpose.[8]

President Lewis' plan before the convention included the termination of the Washington Agreement not later than November 1, 1919, and the elimination of the penalty clause; a contract based on the Central Competitive Field, and a nation-wide strike if necessary.[9] The convention demanded the unconditional release of the political prisoners, the formation of a labor party, and the withdrawal of American troops from Soviet Russia.[10] On these external issues the administration did not oppose a radical position. As yet communist attacks had not made these proposals test issues.

The chairman of the Scale Committee, Farrington, brought in the list of demands to be presented to the operators. These were the six-hour day from bank to bank, and the five-day week; a 60 per cent wage increase for all classes of labor and for all tonnage, yardage, and dead work; time and one-half for overtime and double time for Sundays and holidays; and the abolition of the penalty clause. All existing contracts were declared terminated on November 1, 1919, and were to be replaced by a two-year contract to run concurrently in all bituminous fields. The officials were empowered to call a general strike on November 1.[11] The convention approved the Scale Committee's plan.

The operators, when these demands were presented to them, held fast to their position that the Washington Agreement continued in force until March 31, 1920. A strike was called for November 1.[12] The response to the strike order was complete.

[7] United Mine Workers of America, *Proceedings of the 27th Convention*, Vol. II, p. 521.

[8] *United Mine Workers' Journal*, April 1, 1919, p. 3; United Mine Workers of America, *Proceedings of the 27th Convention*, Vol. I, pp. 75–78.

[9] United Mine Workers of America, *Proceedings of the 27th Convention*, Vol. I, p. 78.

[10] *Ibid.*, Vol. II, pp. 857, 861, 869.

[11] *Ibid.*, Vol. II, pp. 950–951.

[12] *United Mine Workers' Journal*, November 1, 1919, p. 3.

On November 8, Judge Albert B. Anderson, of the United States District Court in the Indiana District, on the motion of Attorney General A. Mitchell Palmer, ordered the officers of the United Mine Workers of America to cease all activities tending to encourage and maintain the strike in the bituminous coal industry.[13]

The union attempted to have the temporary restraining order dissolved, but the court commanded the officers of the union to cancel the strike order by 6 P. M., November 10. A conference of all the district presidents and the International officers decided to bow to the will of the court. "We cannot fight the government," was Lewis' declaration to the press.[14]

The strike was officially at an end but no miners returned to work. A month later the union accepted the proposal in President Wilson's name for an immediate increase of 14 per cent, further increases and other disputed points to be decided by an arbitration commission.[15]

After extended hearings, the Commission by a vote of 2 to 1, the miners' representative, John P. White, offering a minority report, granted a 27 per cent increase. No change was made in basic hours. The operators' attorneys were successful in convincing the Commission and the public that the miners' demand for a thirty-hour week, made to meet growing unemployment, was an unheard of and unreasonable demand. The miners' demands for a 60 per cent increase in wages helped to stamp them as unreasonable with a public that was oblivious to the fact that bituminous wages had remained stationary since September 1917.

From this strike the Lewis leadership emerged as an aggressive but pragmatic leadership. True to the tradition of the miners' union it embraced and pushed novel proposals, such as a nation-wide contract and the thirty-hour week because they would strengthen industrial government and the union. Their jarring effect on the ears of the conservative public was disregarded. On the issue of the nationalization of the coal industry Lewis raised no objections in the convention to the appointment of a study committee but refused to permit the official journal to print its report. That was a radicalism of a different order.

The labor militancy during and immediately after the war turned public attention to compulsory arbitration as a short cut

[13] *Ibid.*, November 15, 1919, p. 3.
[14] *Ibid.*, November 15, 1919, pp. 3–5.
[15] *Ibid.*, December 15, 1919, pp. 3, 5.

to industrial peace. The first experiment with this type of legislation was made in the non-industrial state of Kansas. Initiated and pushed through the legislature by an ambitious Governor, this law, for a time, threatened to become a model for the country. It was an outgrowth of the coal miners' strike in November 1919. In Kansas as elsewhere all coal production was suspended. Governor Henry J. Allen recruited a band of strikebreakers, and gave them military protection to operate coal mines in the vicinity of Pittsburgh, Kansas. Little coal was mined but the Governor was inspired to try a more thoroughgoing solution of the strike problem. The Governor called the legislature in special session to enact a compulsory arbitration bill with an Industrial Relations Court applying to public utilities, fuel, food, and clothing industries. Labor unions were to be legally incorporated making it possible for them to sue and be sued. Suitable penalties for suspending the production and transportation of necessaries of life, except when allowed by the Industrial Court, were provided. Proceedings of compulsory arbitration before the Industrial Court, made up of three members appointed by the Governor, could be started on the petition of the employer, a labor union, unorganized workers, or a group of citizens. Decisions made after hearings and investigations were binding upon both parties. Syndicalist and revolutionary agitation was prohibited by another law.[16]

The Kansas State Federation of Labor furiously assailed this bill. The bill was amended in the Senate to give the Industrial Relations Court the right to prohibit the "check-off," aiming directly at the miners' union, by a vote of 33 to 5.[17] The bill passed both houses and was signed by the Governor.[18]

The law received an auspicious and symbolic welcome. As soon as its enactment was announced, 400 miners, the group against whom this law was chiefly directed, threw down their tools and walked off the jobs in defiance of the new law.[19] The protest strike lasted one day, but the walkout was ended at the orders of Alexander Howat, the District president of the United Mine Workers, and not by the newly created agency instituted to prevent strikes. Howat explained that the strike had not been author-

[16] *Kansas City Star*, January 5, 1920; Witte, *op. cit.*, p. 255.
[17] *Kansas City Star*, January 16, 24, 1920.
[18] *Ibid.*, January 27, 1920.
[19] *Ibid.*

ized by the District officers. This first violation of the Industrial Court law brought the Attorney General of the State into the coal fields who threatened to proceed against all violators of the law. He invited Alexander Howat to discuss the situation. Howat, however, refused to enter into negotiations with anyone connected with the enforcement of this law.[20] Howat's defiance was a striking demonstration that this type of legislation instead of making for peace in industry, would be a constant irritant and disturbing factor.

The Kansas miners shared in the irritation of all bituminous miners with the award of the Bituminous Commission. Unauthorized strikes were sweeping the industry. It was becoming obvious that the case would have to be reopened. Governor Allen thought, however, that he had a perfect remedy in the Industrial Court.

A test case arose in one of the mines in Crawford county. The miners refused to work with an engineer who had aided the Governor in mining coal during the national bituminous coal strike. He was discharged.[21]

At the District convention the miners' defiance went to the extreme limit. The convention ruled that any organized miner who appeared before the Industrial Court was to be fined $50.00 and an official, $5000.[22]

The Industrial Court ordered Alexander Howat, and four other District officers to appear and testify. All refused to recognize the authority of the Court. They were cited before a county judge and ordered to testify. They again refused and were adjudged guilty of contempt and sentenced to jail.[23]

Two days after the jailing of the miners' officers, 90 per cent of the Kansas mines were tied up. A mass demonstration was staged in front of the jail in Girard where the officials were imprisoned. Howat was allowed to address the miners from the prison balcony. He denounced the law as unjust and an outrage, and made uncomplimentary references to its author.[24] The lead of the District officers was followed. The officers of 23 local unions took their cue from Howat and ignored the summons of the Industrial Court. Warrants were issued for their arrest.[25] Subsequently, Howat and his associates were released on bond pending

[20] *Ibid.*, January 27, 28, 1920.
[21] *Ibid.*, April 9, 1920.
[22] *Ibid.*, April 8, 1920.
[23] *Ibid.*, April 9, 1920.
[24] *Ibid.*, April 12, 1920.
[25] *Ibid.*, April 13, 1920.

an appeal from the sentence in the contempt case. The decision of the lower court was later sustained by both the Supreme Court of the State [26] and by the United States Supreme Court.[27] At this time the constitutionality of compulsory arbitration was not an issue, only the power of the Industrial Court to compel testimony.[28]

The position of the officials of District 14 was jeopardized by the attitude of the International officers of the United Mine Workers. While engaged in a struggle with the Governor of the state of Kansas, Howat was also the anti-Lewis candidate for International Vice-President.

Howat broke with Lewis over the disciplining of 33 Kansas locals that went on an unauthorized strike. Howat refused to carry out Lewis' order to send them back to work. The International Executive Board appointed an investigating commission.[29] The commission upheld the operators' contention that the miners had violated their contract. At the hearing before the International Executive Board Howat insisted that return to work be made conditional on changes in mechanical operation. The operators, too, appeared and stated their case. The Executive Board sustained the report of the commission and ordered Howat to send the strikers back to work unconditionally. Howat again refused to obey the order [30] and made personal charges against Lewis. The International convention sided with Lewis and condemned Howat. Howat defied the convention.[31]

[26] *State* v. *Howat*, 107 Kansas 423, 191 Pac. 585 (1920); 109 Kansas 376, 198 Pac. 686 (1921); 109 Kansas 779, 202 Pac. 72 (1921); Witte, *op. cit.*, p. 256.

[27] *Howat* v. *Kansas*, 258 U. S. 181, 42 Sup. Ct. 277 (1922); Witte, *op. cit.*, pp. 256–257.

[28] The ultimate fate of the Kansas law was decided as a result of an effort by the Industrial Court to fix wages and hours in the plant of the Charles Wolff Packing Company. In its first decision the United States Supreme Court held the act unconstitutional in so far as it gave power to the Industrial Relations Court to fix wages. (*Wolff Packing Company* v. *Court of Industrial Relations*, 262 U. S. 522, 43 Sup. Ct. 630, 1923.) In a second decision the same Court declared the entire scheme of compulsory arbitration unconstitutional for industries not peculiarly affected with a public interest. (*Wolff Packing Company* v. *Court of Industrial Relations*, 267 U. S. 552, 45 Sup. Ct. 441, 1924; Witte, *op. cit.*, pp. 258–259.) In regard to mining the Kansas law was finally held unconstitutional in 1926. (*Dorchy* v. *Kansas*, 272 U. S. 306, 47 Sup. Ct. 86, 1926; Witte, *op. cit.*, p. 260.) Curiously enough, strikes are still prohibited not only on railroads and public utilities to which under the ruling of the United States Supreme Court the compulsory arbitration feature may still apply but also in the industries in which compulsory arbitration has been held unconstitutional. (Witte, *op. cit.*, p. 260.)

[29] *United Mine Workers' Journal*, August 15, 1920, p. 14.

[30] "Report of John L. Lewis to the United Mine Workers of America Convention," *United Mine Workers' Journal*, October 1, 1921, pp. 3–5.

[31] *New York Call*, September 29, 1921.

As a result of Howat's defiance the District was reorganized on October 12, 1920. Howat was suspended and replaced by a provisional president.[32] Eighty-one locals loyal to Howat lost their charters.[33] Howat appealed to the Circuit Court of Jackson county, Missouri, for an injunction to restrain Lewis. He failed in the final hearing.[34]

Howat came to the International convention in February 1922, to contest his expulsion. Lewis argued that any member who applied to a court for an injunction before exhausting all the avenues of relief within the union, was automatically expelled. Lewis also argued technicalities. The forces in the convention were almost evenly divided. Under the circumstances Lewis felt obliged to put to a vote Howat's appeal from the decision of the chair, notwithstanding his own contention that Howat had no standing in the convention. On a roll call Lewis was upheld by a vote of 2073 to 1955.[35]

This was a tragic turn for one whose bold defiance of the government of his State demonstrated to the American public the futility of compulsory arbitration even at a time when curbing the labor movement was the order of the day.

The majority report of the Bituminous Coal Commission discriminated against monthly and day men. These were given a 20 per cent increase, while machine men, pick miners, and loaders were granted a 31 per cent increase in tonnage rates. The national officials of the miners predicted that it would be a constant source of dissatisfaction.[36] In the summer of 1920 a complete suspension of mining in Indiana and Illinois took place without the formality of declaring a strike. The suspension had the tacit approval of District officials, although the International office disapproved.[37]

President Wilson asked John L. Lewis to order the strikers back to work and promised to influence the operators to agree to a reconvening of the Joint Scale Committee of the Central Competitive Field to readjust the inequalities resulting from the Coal Commission's decision.[38]

The situation accentuated the already existing differences be-

[32] *United Mine Workers' Journal*, November 1, 1921, p. 7.
[33] *Ibid.*, December 1, 1920, p. 3.
[34] *Ibid.*, February 1, 1921, pp. 4–5.
[35] *Ibid.*, March 1, 1922, pp. 3–5, 9.
[36] *Ibid.*, August 15, 1920, pp. 3–4.
[37] *New York Call*, July 25, 1920.
[38] *United Mine Workers' Journal*, August 15, 1920, pp. 3–5.

tween Lewis and Farrington, President of the Illinois miners. Farrington was confident that he could get better terms through District negotiations.[39] Lewis charged Farrington with disregarding the union constitution and worked for a settlement through the Joint Scale Committee.[40]

At the opening of the Interstate Joint Conference, the miners demanded a two dollar a day increase for day and monthly men and later reduced it to one dollar fifty. The operators were only willing to grant 71.4 cents. After five days of fruitless negotiations the meeting adjourned. Meanwhile Farrington had entered into separate negotiations with the operators of his District. This disrupted the unity of the negotiations and forced the union to allow each district to negotiate separately.[41]

The Illinois miners benefited from the opportunity to go ahead on their own. The Illinois operators more than doubled the increase offered at the Interstate Conference. Lewis, however, insisted that the move by Illinois weakened the other districts and employed it in his ever growing feud with Farrington.

The Lewis-Farrington personal and political feud at this time involved three separate issues. There was the matter of accounting for $27,000 spent to suppress the insurgent strike in 1919. The demand for an account was made on Farrington by one of the local unions. Upon his refusal an International commission was sent to Illinois to investigate. The commission upheld the local. Another clash between Lewis and Farrington was over a fine of $1200 levied against a member for an alleged infraction of union rules. The same International commission declared the fine illegal. The third issue was a fine levied by the District auditor, and upheld by Farrington, on the delegates of a local who had attended the insurgent convention of 1919. The International Office declared these fines illegal.[42]

While the bituminous miners were struggling with the lag of wages behind cost of living the anthracite miners were confronted with the same difficulties. A Tri-District convention met on August 23, 1919, to formulate demands. The following were adopted, and later ratified by the International convention: the new contract, prohibitive of individual contracts, to run not longer

[39] *New York Call*, July 27, 1920.
[40] *Ibid.*, July 28, 1920.
[41] *United Mine Workers' Journal*, September 1, 1920, pp. 3–4.
[42] *Ibid.*, October 15, 1920, pp. 3–5.

than two years; a 60 per cent increase in tonnage rates and a $2.00 per day increase for day and monthly men; a uniform wage scale throughout the anthracite region; a six-hour day from bank to bank and a five-day week, time and a half for overtime and double time for Sundays and holidays; and the closed shop with full recognition of the United Mine Workers.[43]

The negotiations with the operators were protracted and fruitless. They were resumed in Washington in May 1920 under the guidance of Secretary of Labor Wilson. The operators continued unyielding and the miners then offered to accept the same rate of increase that had just been granted to the bituminous coal diggers by the President's Commission. But they also demanded the closed shop and the "check-off." The conference broke up.[44]

Secretary Wilson proposed that both sides agree to arbitration by a commission to be appointed by President Wilson to study and pass on every issue. The Tri-District convention was reconvened. Lewis and one of the District presidents urged acceptance.[45] The two other District presidents opposed it. Lewis' view carried because the majority of delegates felt that "industrial class legislation made it almost impossible to wage a successful strike." [46]

The Commission, composed of William O. Thompson, President of the University of Ohio, as impartial chairman, and two others, rendered its decision after protracted hearings, with the labor representative dissenting.

President Wilson accepted the majority report and directed that it be written into a new contract. Loud protests greeted its publication. The Tri-District Scale Committee condemned it, but reluctantly admitted that the miners were obligated to accept it.

A group of insurgent leaders wired to President Wilson threatening a strike unless he accepted the minority report.[47] The President sent a stern reply.[48] The miners, however, followed the lead of the insurgents, and while the regular officials and the operators were framing a new contract, 85,000 left the pits, closing down

[43] *Ibid.*, March 15, 1920, p. 5.

[44] "Opening and Closing Statements of Philip Murray before U. S. Anthracite Commission," *Anthracite Coal Mine Workers*, pamphlet, 1920, p. 9; *United Mine Workers' Journal*, May 15, 1920, p. 15.

[45] *Anthracite Coal Mine Workers*, pp. 14–18.

[46] *United Mine Workers' Journal*, June 11, 1920, p. 8.

[47] *Pittsburgh Times-Gazette*, September 4, 1920.

[48] *Ibid.*, September 11, 1920.

half of the collieries in the three anthracite districts.[49] The regular officials earnestly endeavored to end the unauthorized strike but it continued for almost a month.[50]

In the bituminous field the problem of the competition of West Virginia [51] continued the paramount problem of the United Mine Workers. In 1919 West Virginia mines employed 91,566: 51,400 were white Americans, 16,841 Negroes, and 23,321 foreign born.[52]

By the end of the war approximately one-half of the State was unionized. But the newly developed and growing fields were non-union. Here the United States Steel Corporation and other large industrial concerns possessed a controlling influence.[53]

The local governments in these counties were company controlled. Union organizers were strictly excluded. In September 1919 a large force of armed union miners assembled near the Logan county line ready to invade the forbidden territory, but were turned back by the joint pleas of the Governor and the union District officials.[54] This was a prelude to a more serious move to invade.

A strike began in Mattewan, Mingo county, in May 1920 over the discharge of active members [55] in the recently formed union. The operators' association brought in Baldwin-Felts detectives, who began evictions. The local chief of police, Sid Hatfield, later killed by a guard, was on the miners' side and in a pitched battle that ensued the Mayor, two miners, and seven Baldwin-Felts guards were killed.[56] Other violence followed.[57]

The strike became general in Mingo county and also included Pike county, Kentucky.[58] The mines in the neighboring McDowell county were becoming restive and a clash occurred.[59] Patrols of

[49] *United Mine Workers' Journal*, September 15, 1920, pp. 3–4; *New York Call*, September 8, 1920.

[50] *New York Call*, September 8, 1920.

[51] See Chapter XXVII.

[52] Lane, Winthrop D., "West Virginia," *Survey*, October 29, 1921, p. 178.

[53] *Ibid.*, *Civil War in West Virginia*, pamphlet, Huebsch, New York, 1921, pp. 43–46.

[54] *West Virginia Coal Fields*, Hearings before United States Senate Committee on Education and Labor, 67th Congress, 1st Session, pp. 52, 873.

[55] *Ibid.*, p. 15.

[56] *Ibid.*, pp. 208–210.

[57] *New York Times*, May 20, 1920.

[58] *West Virginia Coal Fields*, Hearings before Senate Committee, pp. 8, 104; *United Mine Workers' Journal*, July 1, 1920, p. 8; *New York Times*, July 1, 2, 1920; *Richmond Times-Dispatch*, July 2, 1920.

[59] *New York Times*, July 6, 1920.

armed guards were sent to patrol the county line to prevent any possible infiltration of union men. Numerous arrests of suspected union members and evictions took place.[60] Armed clashes caused the Governor to send State troops.[61]

After a brief lull a three-hour battle was fought on August 21, 1920, between strikers and guards in Mingo county, in which six were killed.[62] At the Governor's request 500 Federal troops arrived.[63] District President Keeney threatened a general strike in the State unless the Federal soldiers discontinued strikebreaking activities.[64] The Governor consented to their withdrawal as soon as the sheriff had a force of 1600 deputies approved by the Mingo Circuit Court.[65] The Federal troops departed but a fresh outburst of violence brought them back, and the Governor declared martial law.[66] Violence continued nevertheless, although the union officers urged abstention.[67] On December 4 the prosecuting attorney of Mingo county attributed 16 murders directly to the strike, and 23 were indicted for first degree murder.[68] Comparative quiet was restored by the middle of January 1921, and the Federal soldiers were again withdrawn.[69]

The strike continued, 1700 living in tents and being supported by the union. In May 1921 violence again broke out in many places. On May 12 warfare between the striking miners and mine guards and deputies reopened. Immediately after dawn fighting between the opposing factions began at a number of points. The Governor reimposed martial law, but the State Supreme Court ruled that martial law was illegal unless it was enforced by military occupation.[70]

The sporadic fighting was rapidly maturing into civil war. The union miners of the organized Paint and Cabin Creek fields mobilized to invade the unorganized territory. As the union was kept out by the violence of guards, deputies, and troopers, the miners resolved to open the area to the organization by force of

[60] *United Mine Workers' Journal*, July 15, 1920, p. 11.
[61] *New York Times*, July 17, 19, 1920.
[62] *Ibid.*, August 22, 1920; *New York Call*, August 23, 1920.
[63] *New York Times*, August 30, 1920; *New York Call*, September 6, 1920.
[64] *New York Times*, September 25, 1920.
[65] *New York Call*, September 26, 1920; *New York Times*, September 29, 1920.
[66] *New York Times*, November 27, 29, 30, 1920.
[67] *Ibid.*, December 3, 1920.
[68] *Ibid.*, December 5, 1920.
[69] *Ibid.*, January 15, 17, 1921.
[70] *Ibid.*, June 15, 1921.

arms.[71] The sheriff of Logan county, about to be invaded, organized a force of 500 deputies to meet the invasion. Governor Morgan appealed to the War Department for troops to avert a clash. The Department dispatched an officer to observe the situation. Meantime the miners' army had grown to 4000. It continued advancing and a battle seemed imminent. However, District President Keeney succeeded in turning back the miners and the battle was averted.[72]

The miners had begun to disperse, but the news came that in the night of August 28 armed deputies had swooped down upon a camp and in the fight five miners were killed.[73] The invasion was resumed. Automobiles were commandeered and several thousand miners formed a wide advancing front. The Governor appealed to President Harding. The President in a proclamation ordered the miners to disperse.[74] The miners refused and, on August 31, advancing two miles, engaged in heavy fighting with deputies and volunteers at five different points.[75] The miners' army was increased by new arrivals, including 500 on a commandeered train.[76] At last 2100 Federal soldiers came on the scene.[77] The miners' war was over. Six hundred surrendered to the Federal troops. They were disarmed and sent home.[78] The Logan county grand jury indicted 325 for treason and 200 for conspiracy and bearing arms.[79]

In April 1922, Judge McClintock of the United States District Court issued an order forbidding the payment of relief to the Mingo county strikers and ordered the disbanding of the tent colonies within 30 days. The union secured an order from the Circuit Court of Appeals suspending the injunction.[80]

Late in May William Blizzard, a union leader, was brought to trial for treason. The trial lasted five weeks ending in acquittal.[81] The cases against the other defendants were dismissed.[82] The

[71] *Ibid.*, August 21, 1921.
[72] *Ibid.*, August 25–27, 1921; *New York Call*, August 27, 1921.
[73] *New York Times*, August 29, 1921.
[74] *Ibid.*, August 31, September 1, 1921; *New York Call*, August 31, 1921.
[75] *New York Times*, September 1, 1921.
[76] *Ibid.*, September 2, 1921.
[77] *Ibid.*, September 3, 1921.
[78] *Ibid.*, September 4, 5, 1921; *New York Call*, September 4, 5, 1921.
[79] *United Mine Workers' Journal*, February 1, 1922, p. 12.
[80] *Ibid.*, May 1, 1922, p. 3.
[81] *Ibid.*, June 15, 1922, p. 17.
[82] *Ibid.*, March 1, 1925, p. 11.

union officially terminated the Mingo county strike in October 1922.[83]

The year 1922 saw more coal miners on strike in the United States than ever in history, the anthracite and bituminous fields striking simultaneously. The contract expired in both fields at the same time.

The union failed in bringing the operators of the Central Competitive Field into a common conference, Western Pennsylvania and the two largest Ohio districts holding out.[84]

The union returned to its demands and the agreement procedure advanced in the negotiations of 1920.[85] This made a strike probable.

Another effort to secure unified negotiations having failed, and the union having forbidden the district organizations to negotiate agreements until the basic wage scale in the Central Competitive Field was agreed upon, a strike was inevitable.[86] The strike began on April 1, 1922. A call was issued to all non-union miners to join the strike.[87]

The strike began with the largest supply of coal above ground in the history of the United States.[88] The national administration, confident that the strike would cause no hardship to the public, was unconcerned.[89]

The appeal to the non-union miners received a response in an unusual quarter, in the Connellsville coke region in Somerset, Cambria, Fayette, Indiana, and Westmoreland counties of Pennsylvania, the location of the large blast ovens of the H. C. Frick Coke Company. Not in 30 years had the Connellsville coke region shared in a miners' strike, or possessed a single miners' local. But by the middle of April there was a local in every mine in that region.[90] The Connellsville strike was wholly the work of local leaders arisen for the occasion. Many were older men who had belonged to the union in their youth.[91] Also in the Connellsville region the obstacles were far greater than elsewhere. Here the

[83] *Ibid.*, October 28, 1922.
[84] *Ibid.*, January 15, 1922, p. 3.
[85] *Ibid.*, March 1, 1922, pp. 8–10.
[86] *Ibid.*, March 1, 1922, pp. 8–10.
[87] *Ibid.*, April 1, 1922, pp. 3, 5.
[88] *New York World*, April 1, 1922.
[89] *Pittsburgh Gazette-Times*, April 1, 1922.
[90] *United Mine Workers' Journal*, May 1, 1922, pp. 8–9.
[91] Blankenhorn, Heber, *The Strike for Union*, H. W. Wilson Company, New York, 1924, pp. 14–40.

powerful corporations, resentful at the unexpected uprising of their heretofore docile employees, resorted to every known means to break the spirit of the strikers.[92] But so great was the long pent-up resentment of the miners who had been obliged to take wage reductions without a protest, that suppression utterly failed.[93] Moreover, with the zeal of new converts, the Connellsville miners became self-appointed organizers, looking to no one for orders, only anxious to spread the strike and the union gospel.[94] The employers soon appraised the true spirit of the men and offered to meet their demands except union recognition. But the wage inducement failed as ignominously as suppression.[95] A network of locals soon covered Somerset, Fayette, Indiana, Cambria, and Westmoreland counties.[96]

The eighth week of the strike saw the lines of the miners holding firmly. The strike settled down to a test of strength. Was the available coal supply added to the non-union production adequate for the country, or would the miners' determination eventually force concessions? All had been peaceful until one of the coal companies in Southern Illinois sought to resume operations.

The Southern Illinois Coal Company, which operated mines in Williamson county, had recognized the United Mine Workers before the strike. At the suspension of work on April 1, it was agreed that stripping of dirt was to be allowed, but that no coal was to be loaded for commercial purposes. After six weeks of stripping, the company informed the union that it would not recognize the agreement any longer. It was going to load and ship coal for commercial purposes. The mine began operating on June 21 with members of a Chicago Steamshovel Men's Union, unaffiliated with the American Federation of Labor.[97] A group of miners attempted to confer with the men taking their jobs, but they were greeted by machine gun fire and two of them were killed.[98]

The arrival from Chicago of a band of Hargreaves Secret Service operatives to guard the steam shovel men led to the opening of

[92] *Ibid.*, p. 5.
[93] *Ibid.*, pp. 48–66.
[94] *Ibid.*, pp. 66–67.
[95] *Ibid.*, p. 66.
[96] *Pittsburgh Gazette-Times*, April 13, 1922; *United Mine Workers' Journal*, June 1, 1922, p. 14.
[97] Lewis, in a reply to an Illinois miners' official regarding this union, said that the miners were "justified in treating the crowd as an outlaw organization." *Pittsburgh Gazette-Times*, June 24, 1922.
[98] *Chicago Tribune*, June 24, 1922.

hostilities on the strikers' side, resulting in the wounding of three guards. The strikers' blood was up. Crowds gathered in West Frankfort, Herrin, and neighboring towns, possessed themselves of arms and began moving towards the Illinois Coal Company's mine surrounded by a stockade. The guards opened fire. The miners returned it and firing became general. The stockade was about to be stormed when a white flag was raised. An armistice was agreed upon and the besieged surrendered. So strong, however, were the aroused passions that a number of the disarmed captives were butchered.[99] Altogether 19 strikebreakers and two strikers were killed.[100]

The excitement following the Herrin massacre having subsided, the strike reverted to a grim but silent contest of endurance. Late in June, the Federal government began to show active interest. The operators, too, came forth with a proposal for district agreements and arbitration at a joint meeting at the White House. The miners stood by their demand for an Interstate agreement. A week later the operators proposed resumption of mining at the old rates to be effective until August 10, 1922, and submission to arbitration. The miners rejected it.[101]

Now, however, the operators, too, turned against arbitration. They were eager to be rid of the check-off and other union practices. Intimations that President Harding was about to provide protection to enable them to open the mines stiffened their determination.

They were not misinformed. President Harding officially told them to return home and resume operations.[102] He also wired the Governors of 28 states to furnish protection, and pledged the full support of the Federal government.[103] Accordingly the Governors of Pennsylvania and Ohio ordered State troops to the mines.[104] Still the mines remained idle.[105] By the end of July a coal shortage made itself felt. A Federal emergency fuel control under Secretary Hoover was set up.[106]

Lewis issued another invitation to the operators to meet on

[99] *Ibid.*, June 23, 24, 1922.
[100] *Ibid.*, June 26, 1922.
[101] *United Mine Workers' Journal*, July 15, 1922, pp. 3–4.
[102] *Pittsburgh Gazette-Times*, July 18, 1922.
[103] *Ibid.*, July 20, 1922.
[104] *Ibid.*, July 21, 1922.
[105] *Ibid.*, July 24, 1922.
[106] *Ibid.*, July 27, 1922.

August 8 [107] to take up the matter of an Interstate agreement. The opposition was led by the Pittsburgh operators, who were willing to meet the miners of their own District.[108] Yet Lewis was determined to go ahead with the Interstate conference in Cleveland. The operators at that conference admitted that they represented but 20 per cent of the normal coal production of the Central Competitive Field. Lewis undaunted insisted that a settlement would bring back to work 300,000 miners.[109] On August 15 a settlement was reached on the basis of the continuation of the old wage scale and working conditions until March 31, 1923, and the setting up of a committee of inquiry, subject to the approval of President Harding, to investigate the coal industry in all its phases and to report to a joint conference in January 1923.[110]

Lewis' victory was marred by the desertion of the non-union miners in Central Pennsylvania, who struck in response to the invitation of the United Mine Workers and whose standfastness materially contributed to the victory. In the early negotiations the need to protect these 75,000 non-union strikers was not overlooked. At the White House conference in July Lewis had inquired whether the President's suggestion of arbitration covered the newly organized fields. The operators then excluded these fields from the discussion. On the eve of the successful Cleveland conference, John Brophy of District 2 insisted that no settlement be made with companies which heretofore had non-union mines in the Connellsville region unless the latter were covered. Now these men were deserted to their fate.[111] Gradually the Cleveland settlement was accepted throughout the old union fields.[112]

The non-union strikers in the coal fields in Somerset, Cambria, Indiana, Westmoreland, and Fayette counties of Pennsylvania continued their unequal struggle. Only Brophy's District remembered their services, when it forced through a clause in the agreement that operators with mines in both old union and formerly non-union fields should not be permitted to work their union mines until they had signed for their non-union miners as well.[113]

[107] *United Mine Workers' Journal*, August 1, 1922, p. 4.
[108] *Pittsburgh Gazette-Times*, August 3, 10, 1922.
[109] *Ibid.*, August 11, 1922.
[110] *United Mine Workers' Journal*, August 15, 1922, pp. 3–5.
[111] Blankenhorn, *op. cit.*, pp. 148–153.
[112] *United Mine Workers' Journal*, September 1, 1922, pp. 3–4.
[113] Blankenhorn, *op. cit.*, p. 158.

In at least one instance Lewis ordered union miners back to work over Brophy's head and thus nullified this protection.[114] The great bulk of the non-union strikers remained unprotected. Committees were sent to New York to rally public support. A delegation of the strikers visited the White House. Companies with mines in the region had their New York offices and even the houses of the officials picketed. Mayor Hylan of New York appointed a committee to investigate conditions in the mines of the Berwind-White Company, supplying coal to the subways of New York, of which E. J. Berwind, also chairman of the Board of Directors of the Interborough Rapid Transit Company, was President. The committee upon its return described the conditions of the miners as "worse than [those of] the serfs of Russia or the slaves before the Civil War." [115]

Lewis indorsed an appeal for aid to these strikers,[116] but his calling off the strike on January 19 created consternation amongst the local leaders. Having spent $500,000 of its own money in the coke region, the International felt that it could do no more. Moreover Lewis pointed to material wage increases as the strikers' reward.[117] District 2, however, defied the International and continued its support.[118] In June 1923, District 2 cut the strike relief from $7.50 weekly to $4.00. In the middle of August, after 16 months, the strike was called off.[119]

On November 14, 1922, the operators and miners of the Central Competitive Field met to renew the agreement. The miners went back to their demands of the preceding August.[120] The conference failed to reach an agreement and was postponed to a later date.[121] The next conference, on December 6, also failed.[122]

At the third meeting, on January 3, 1923, the operators showed disagreement amongst themselves. Many were for district settlements. The miners were absolutely against arbitration.[123] Two

[114] Quoted by Blankenhorn, *op. cit.*, pp. 164–167, from *Pennsylvania Central News*.
[115] Blankenhorn, *op. cit.*, pp. 174–201.
[116] *United Mine Workers' Journal*, October 15, 1922, p. 13.
[117] *Ibid.*, July 1, 1923, pp. 3–4.
[118] Blankenhorn, *op. cit.*, pp. 209–213.
[119] *Ibid.*, pp. 214–219.
[120] *United Mine Workers' Journal*, October 15, 1922, pp. 4–5.
[121] *Ibid.*, December 1, 1922, p. 5.
[122] *Ibid.*, December 15, 1922, p. 5.
[123] *Ibid.*, January 15, 1923, p. 3.

weeks later the Joint Conference met and made an agreement for a Tri-State Competitive Field consisting of Ohio, Indiana, and Illinois, eliminating Pennsylvania from the arrangement.[124] It was for one year and expired April 1, 1924. Wages and conditions were left practically unchanged, but the automatic penalty clause was abolished.[125]

In the anthracite region the miners confronted in January 1922 the same effort to reduce wages and union control of the job. The union chose an offensive as the best defense and demanded a 20 per cent increase; equalization of wage rates; the eight-hour day without exceptions; higher rates for overtime and Sundays and holidays; the check-off system; and the seniority rule.[126]

The operators insisted that "deflation in the cost of production, 70 per cent of which is represented by mine labor, is imperative," [127] and demanded decreases on an average of 21.5 per cent.[128] In reply the miners pointed to the excess profits and to unnecessary costs in selling.[129]

The suspension began April 1 with 155,000 leaving their work. Next the operators proposed arbitration by a commission appointed by President Harding. The miners distrusted the arbitration proposal, as they were in doubt as to the scope of the arbitration and also had serious misgivings on the score of the fall in the cost of living. They were now willing to accept an actual eight-hour day for all, the check-off, and the existing wages.[130] The strike became an endurance contest. Operation with strikebreakers was not attempted.

Both sides reiterated their stands to President Harding.[131] Another joint conference split, late in August, on the operators' insistence on arbitration and a short term contract.[132] The two senators from Pennsylvania, with Harding's approval, entered as mediators. An agreement was reached extending existing conditions until the end of August 1923, and calling for a joint request to Congress to create an anthracite coal investigating commis-

[124] *Pittsburgh Gazette-Times*, January 19, 1923.
[125] *United Mine Workers' Journal*, February 1, 1923, pp. 3–4.
[126] *Ibid.*, February 1, 1922, p. 8.
[127] *Ibid.*, April 1, 1922, pp. 9–10.
[128] *Ibid.*, May 15, 1922, pp. 14, 15.
[129] *Ibid.*, p. 14.
[130] *Ibid.*, June 15, 1922, p. 9.
[131] *Ibid.*, August 1, 1922, pp. 3–5, 15–17.
[132] *Ibid.*, September 1, 1922, p. 5.

sion.[133] The agreement was ratified by the Tri-District convention over strong opposition.[134]

At the approach of the expiration of this agreement the operators were willing to grant the universal eight-hour day, to make concessions on dockage, and facilitate more expeditious decisions by the Referee, but refused wage increases and the check-off.[135] The operators now offered to extend the existing contract to April 1, 1925, but the miners refused. Following a strike vote of the miners, the operators proposed arbitration but were refused.

However, after a month's suspension, the Federal Coal Commission produced an agreement [136] on the basis of Governor Pinchot's proposal granting the universal eight-hour day; a 10 per cent increase; full union recognition without the check-off but with the right to have a union representative present when the men are paid. The agreement was to run for two years.

[133] *Ibid.*, September 15, 1922, p. 3.
[134] *Ibid.*, September 1, 1922, pp. 3–4.
[135] *Ibid.*, September 1, 1923, pp. 3–4.
[136] *Ibid.*, September 1, 1923, pp. 3–5, 16.

CHAPTER XXXVII

THE "AMERICAN PLAN"

The "Employers' Mass Offensive" of 1903–08, in reply to labor's "Mass Advance" after 1899, was reproduced following the expansion of unionism during and immediately after the war by the belligerent movement for the "American Plan." But while in the earlier period the government had stood aside both during the labor offensive and during the ensuing employer counter-offensive, the Wilson administration which, prompted by war exigency as well as by labor sympathy had opened to unionism the doors of many industries, now strove to head off renewed belligerency in industrial relations by inspiring a continuation of the war-time method of adjustment by joint conferences.[1]

President Wilson convened an Industrial Conference on October 1919.[2] Represented were the public, women, the United States Chamber of Commerce, farmers' organizations, the American Federation of Labor, the railroad brotherhoods, investment bankers, the National Industrial Conference Board, and the American Railway Managers' Association. The representatives were grouped into three categories, public, capital, and labor.[3]

Collective bargaining and the steel strike immediately became the main issues.

The public and employer groups recognized the right of labor to organize and approved of collective bargaining but definitely leaned towards an "open shop" interpretation of these "principles." [4]

The labor group took the offensive and introduced a resolution on the steel strike. It proposed that each of the three groups select

[1] As a matter of fact the truce between capital and labor during the war existed only in the sense that neither side encouraged mass offensives. The rising cost of living forced strikes regardless of patriotism. Comparisons of the number of strikes in the war years and in the years immediately preceding and following fail to show any let up in industrial conflicts. In 1916, 3681 strikes were recorded, in 1917 the number rose to 4324, in 1918 it declined to 3232, only slightly less than the 3253 reached in 1919. (*Monthly Labor Review*, June 1920, p. 200.) The number of strikes in 1919 as given in a later compilation was 3630. (*Ibid.*, July 1934, p. 7.)

[2] *Proceedings of the First Industrial Conference*, Washington, 1920, pp. 4–5.

[3] *Ibid.*, pp. 22–23.

[4] *Ibid.*, pp. 52, 68, 81–83.

two representatives, whether from among those present in the Conference or not, to arbitrate the issue in that strike.[5]

The Conference attempted to side-step this pointed issue by extended parliamentary maneuvering, vague resolutions, and endless debate. Finally on the tenth day of the Conference, Elbert H. Gary, who strangely enough was invited to represent the public, rose and defined his position on the steel strike. He favored arbitration, conciliation, and co-operation whenever possible without sacrificing principle. But the steel strike situation lent itself to neither arbitration nor compromise. He advised the Conference to steer clear of it. Trade unions unnecessarily limited production, increased costs, denied the wage earner the opportunity to receive the highest wages made possible by reasonable effort, hindered promotion and advancement in accord with merit, and destroyed individual freedom. Furthermore, inasmuch as the majority of the wage earners in the steel industry were outside of trade unions, Judge Gary disputed the rights of union labor to speak for the employees of his industry.[6] The steel strike issue was thereby settled so far as the Conference was concerned.

The public group led by William L. Chadbourne, a leading lawyer, Judge Gary, and John D. Rockefeller, Jr., came forth with a resolution which began with a recognition of the right to organize and a commendation of collective bargaining, but ended with the assertion that this "must not be understood as limiting the right of any wage earner to refrain from joining any organization or deal directly with his employer if he chooses." [7] Naturally the labor group refused to give the resolution the necessary unanimity. Gompers stated labor's irreducible minimum in the following resolution:

> "The right of wage earners to organize without discrimination, to bargain collectively, to be represented by representatives of their own choosing in negotiations and adjustments with employers in respect to wages, hours of labor, and relations and conditions of employment is recognized." [8]

The public group was willing to accept Gompers' resolution, but now the employers withheld the necessary unanimous approval, as it negatived the "open shop." [9] Labor regarded the defeat of this resolution as sealing the doom of the Conference. Gompers rose and announced the withdrawal of the labor group.[10]

[5] *Ibid.*, p. 102.
[6] *Ibid.*, pp. 220–221.
[7] *Ibid.*, p. 228.
[8] *Ibid.*, p. 250.
[9] *Ibid.*, p. 266.
[10] *Ibid.*, pp. 269–275.

The Conference adjourned the following day. The effort to prolong the war-time industrial "truce" shattered.

The employers' campaign to liquidate labor's war-time gains, like the open shop campaign of 1902–07, was conducted on the front of ideals and sentiments as well as on the more tangible industrial one.[11] The campaign was designed to display as its objective the return to time hallowed American principles, the inalienable right of every American to enter any trade or business he chose, to accept employment under conditions satisfactory to himself without interference from the union business agent. An appeal was made to the more conservative farmers' organizations as well as unorganized farmers to battle shoulder to shoulder with the employers for the "American Plan." The National Grange, at its convention in 1920 came out for the right of the individual "to work where his industry is needed at any time and at any wage which is satisfactory to him." [12] The American Bankers' Association, with a membership of 23,000, favored allowing "every man . . . to work out his salvation and not be bound by the shackles of organization to his own detriment." [13] The promoters of the American Plan benefited from the improved methods of creating mass opinion developed during the war. The American Plan purported to abolish the "un-American" closed shop, but as in previous open shop crusades, the destruction of unionism was the real objective. Neither effort nor money was spared in this crusade.

By the autumn of 1920 the country was covered with a network of open shop organizations. Few if any states were left unorganized for the American Plan.[14] In New York State alone at least 50 open shop associations were active. Of these the great majority were trade associations, but propaganda centers of the employers' "one big union" variety set the tone. Buffalo had established an open shop center as early as 1918. In 1920 the Buffalo Builders' Exchange voted 108 to 1 for the open shop, echoing the Chamber of Commerce. Its extensive machinery construction industry was determined to perpetuate the open shop.[15]

[11] The material on the American Plan movement was gathered and brought together by Norma Schoen.
[12] *Industry*, January 1, 1921, p. 3.
[13] *Ibid.*
[14] *Iron Trades Review*, November 11, 1920, p. 1342.
[15] *Ibid.*, November 11, 1920, p. 1343.

The open shop propaganda even made converts in unexpected quarters. Responding to the appeals of the *Buffalo Commercial*, Steam Fitters Union No. 665, with 180 members, renounced the closed shop as leading to the restriction of output.[16] Rochester, Syracuse, Utica, Troy, and Poughkeepsie were similarly organized for the open shop. Outside of the garment industries effective resistance mainly came from the building trades.[17]

Massachusetts had 18 open shop associations in eight cities. The Associated Industries of Massachusetts, with a constituency of 1550 of the largest employers, was active in the campaign.[18] Connecticut had 20 American Plan associations in 13 cities: seven in Hartford, two in New Haven, and one each in 11 other cities.[19] In New Jersey the Associated Industries bound the different employers' associations into a cohesive anti-union front.[20] The Chamber of Commerce in Rhode Island led in the open shop campaign.[21] The open shop movement was general in Maryland, including the building industry. In West Virginia the cause was championed by the American Constitutional Association. The Philadelphia Chamber of Commerce created an Industrial Relations Committee to actualize the open shop in the 16,000 industrial plants of the city.[22] In Pittsburgh the Employers' Association requested its members to refuse subscriptions to the Young Women's Christian Association which had indorsed collective bargaining.[23] The Scranton Board of Trade assured its members that the open shop would attract new industries to the city.[24] Reading and Williamsport were open shop save in the building trades.[25]

But on the whole the Middle West outdid the East in fervor for the open shop. In October 1920 the Illinois Manufacturers' Association offered its aid to any employer fighting to protect the open shop. Illinois had 46 open shop associations, 21 in Chicago.[26] Decatur, East St. Louis, Galesburg, La Salle, Moline, Rockford,

[16] *Buffalo Commercial*, pamphlet, 1920.
[17] Lewis, H. H., "Great Open Shop Conspiracy," *Industry*, June 3, 1921, p. 6; *Iron Trades Review*, November 11, 1920, p. 1344.
[18] *Iron Trades Review*, November 11, pp. 920, 1343.
[19] *Ibid.*, p. 1344.
[20] *Industry*, January 1, 1921, p. 4.
[21] *Ibid.*
[22] *Ibid.*
[23] *New Republic*, February 16, 1921.
[24] *Scranton Board of Trade Journal*, November 1920, p. 10.
[25] *Iron Trades Review*, November 11, 1920, p. 1343.
[26] Indianapolis Association of Employers, *Special Information Bulletin*, October 25, 1920, p. 6.

and Kewanee were likewise organized for the open shop.[27] Ohio listed 17 open shop associations, the oldest being the Dayton Employers' Association, organized in 1900. In Cleveland the Chamber of Commerce took the lead; in Toledo the Merchants' and Manufacturers' Association; and in Cincinnati the Industrial Association. In Columbus unionism was driven from the building trades by the Chamber of Commerce. Akron, Hamilton, Portsmouth, Springfield, Zanesville, and Newark were other Ohio towns organized for the open shop.[28]

In Iowa the open shop campaign was begun by the Iowa Manufacturers' Association in 1920, with a drive in five of the larger cities.[29] In North Dakota, South Dakota, and Nebraska the open shop advocates were likewise active.[30]

Michigan was an outstanding center in the fight for the open shop. The campaign was in the hands of the Detroit Associated Industries and the Coalition Committee of the State of Michigan. There were 23 other State and local groups. Strong open shop associations existed in the large Minnesota cities. In Minneapolis, the Citizens' Alliance carried on a "Patronize the open shop" campaign. St. Paul, Duluth, and other cities had active organizations.[31] Wisconsin, never a strong union territory, still was active for the open shop. If Detroit excelled in the volume and intensity of its open shop effort, Indianapolis was supreme in propaganda. The Associated Industries of Indianapolis eagerly supported any member having labor troubles and systematically put out propaganda material for the open shop cause.[32] In Missouri during 1920 and 1921 St. Louis, Kansas City, and Joplin were in the lead, followed by other cities.[33]

The South joined as an enthusiastic fighter for the cause. In Texas the eight largest cities had active open shop centers, under the leadership of the Texas Chamber of Commerce.[34] Kentucky

[27] *Iron Trades Review*, November 11, 1920, p. 1344.

[28] Cleveland Chamber of Commerce, *Annual Report*, 1922, p. 61; *Open Shop Bulletin*, September 22, 1921, p. 6.

[29] *Iron Trades Review*, November 11, 1920, p. 1349.

[30] *Ibid.*, p. 1347; *Open Shop Bulletin*, September 22, 1921, p. 6; Lewis, *op. cit.; Industry*, January 1, 1921.

[31] *Iron Trades Review*, November 11, 1920, pp. 1344–1349; *Open Shop Bulletin*, September 22, 1921; Indianapolis Employers' Association, *Special Bulletin*, October 25, 1920.

[32] *Social Justice versus Closed Shop Misleadership*, pamphlet, 1920.

[33] *Open Shop Bulletin*, September 22, 1921, p. 4.

[34] *The Open Shop Survey*, December 18, 1920, p. 428.

was not far behind. Two hundred firms in Louisville subscribed $20,000 for an educational campaign.[35] In Florida, Tampa, Jacksonville, and Miami waged successful open shop drives.[36] In Tulsa, Oklahoma, the Open Shop Association was organized by the Chamber of Commerce and soon had 3500 members. It spread its influence over the state.[37] Alabama and Tennessee, Louisiana, Georgia, Mississippi, Arkansas, and New Mexico were likewise in the procession.

In Phoenix and Tucson, Arizona, the open shop groups supplied industries with non-union workers and conducted active propaganda in the newspapers and among business organizations.[38] In Colorado, Denver was the headquarters. The Associated Industries of Utah directed the open shop movement for the state.[39] In Idaho the Employers' Associations of Boise and Idaho Falls made the whole State open shop, except in the Boise building trades.[40] The Associated Industries of Montana obtained a similar success in Butte, Billings, Helena, and Great Falls.[41] In Washington the Associated Industries, the Chamber of Commerce, and Commercial Clubs co-operated.[42] California naturally was the banner open shop state of the West, with Los Angeles as the principal center.[43]

The local groups came together at a conference of 22 State Manufacturers' Associations in Chicago in January 1921. Here the name "American Plan" was officially adopted.[44] Behind the "spiritual" barrage of the American Plan the individual employer groups advanced to capture the positions of organized labor.

In January 1921, the International Seamen's Union and the Marine Engineers' Beneficial Association were approached by the American Shipowners' Association and by Admiral Benson of the United States Shipping Board with a proposal that the new agreement should allow a 25 per cent reduction in wages and no overtime pay, in order to meet foreign competition. Later the demand

[35] *Open Shop Review*, December 1920, p. 493.
[36] *Ibid.*
[37] *Open Shop Bulletin*, September 2, 1921, p. 5.
[38] *Ibid.*, September 22, 1921.
[39] *Iron Trades Review*, November 11, 1920, p. 1349; *Industry*, January 1, 1921.
[40] *Iron Trades Review*, November 11, 1920, p. 1349.
[41] *Open Shop Bulletin*, September 22, 1921.
[42] *Iron Trades Review*, November 11, 1920, p. 1341.
[43] *Open Shop Review*, September 22, 1921, p. 3.
[44] Zimand, Savel, *The Open Shop Drive*, pp. 1–5; *Chicago Tribune*, January 13, 1921.

was reduced to 15 per cent, but with overtime pay gone, the reduction in earnings would have been between 40 and 60 per cent.[45] The negotiations dragged without result when on April 19, eleven days before the expiration of the old agreement, the United States Shipping Board came forth with new demands abolishing three watches, the privilege of union representatives to enter docks or board vessels, and the withdrawal of preference to union men in hiring—in brief, with the opening wedge of an open shop drive.[46]

At midnight of May 1, 1921, all American shipping from Maine to Texas was tied up by a strike.[47] This was the biggest seafarer's strike on record. In New York alone 300 vessels were without crews.[48] The American Steamship Owners' Association rejected the offer of mediation by Secretary of Commerce Hoover.[49] The completeness of the tie-up moved the shipowners to better their previous offer as regards wages and to moderate the open shop features. The unions refused.[50] The tie-up continued complete on the Atlantic Coast and affected shipping on the Pacific Coast.[51]

Admiral Benson, Chairman of the United States Shipping Board, was the belligerent leader of the employers. At the end of the second week, 300 pickets of both unions were under arrest in Gulf and Atlantic ports on charges of vagrancy. Injunctions were issued and strikebreakers widely recruited, notably among university students.[52] At a conference of both sides called by Secretary of Labor Davis, the unions were willing to make concessions in wages but insisted on three watches and the former degree of union recognition. The owners refused.[53]

The strike was weakened by the defection of the Marine Engineers' Beneficial Association accepting reductions in overtime pay. The settlement was forced through by the President of the Association over the loud protests of the membership, 2000 in New York vainly demanding his resignation.[54] The return of the engineers made victory impossible. A referendum vote in the Atlantic and Gulf port branches of the firemen's and sailors'

[45] *Seamen's Journal*, May 11, 1921, p. 2.
[46] *Ibid.*, May 11, 1921, p. 1.
[47] *New York Call*, May 2, 1921.
[48] *Ibid.*, May 3, 1921.
[49] *Ibid.*
[50] *Ibid.*, May 8, 1921.
[51] *Ibid.*, May 14, 1921.
[52] *Seamen's Journal*, May 25, 1921, p. 10 and June 1, 1921, p. 6.
[53] *New York Call*, May 24, 1921.
[54] *Ibid.*, June 15, 1921.

union gave a majority for returning to work without an agreement. The strike ended after 52 days.[55]

With this defeat the seamen's union was hurled from the heights it had achieved. Its membership on the eve of the strike was over 100,000. A year later it was less than half and in 1923 it was hardly 18,000.[56] The defeat meant blacklisting and discriminations against union men. On the Pacific Coast a movement began for a closer co-operation between seamen and longshoremen.[57] A Transportation Workers' Federation sprang up with branches in San Pedro, San Francisco, and Seattle[58] and planned for simultaneous expiration of agreements and a card transfer system between both unions.[59]

The idea of close co-operation between the marine workers engaged on sea and land did not appeal to the seamen's union administration. Andrew Furuseth, President of the seamen, true to his old distrust of the longshoremen,[60] opposed this move.[61] As their recent crushing defeat was caused by the desertion of the marine engineers at the height of the battle, many sailors failed to share Furuseth's prejudice. The I. W. W. profited by it and reaped a harvest of marine workers.[62] It now established the *Marine Worker*, a weekly to further the campaign.[63] Furuseth charged his opponents in his own organization with aiding and abetting the I. W. W. He discovered a "traitor" even in J. Vance Thompson, the editor of *Seamen's Journal*, the organ of the Sailors' Union of the Pacific Coast, and launched the *Seaman* as a rival.[64] Thompson was admonished by the Sailors' Union at Furuseth's instigation.[65]

Thompson was no partisan of the I. W. W. He absolved the craft form of organization from responsibility for the defeat. However, he wanted federation with longshoremen to restore the confidence of the membership and to keep it from going over to

[55] *Ibid.*, June 22, 1921.
[56] Wolman, *op. cit.*, p. 127.
[57] *Seamen's Journal*, July 20, 1921, pp. 1, 7.
[58] *Ibid.*, July 27, 1921, p. 6.
[59] *Ibid.*
[60] See Chapter XXIX.
[61] West, G. P., "Andrew Furuseth and the Radicals," *Survey*, November 5, 1921, p. 208.
[62] *Solidarity*, July 9, 1921.
[63] *Ibid.*
[64] *Seaman*, October 1921, p. 7.
[65] *Ibid.*, November 1921, p. 4.

the I. W. W.[66] Eventually Furuseth obtained Thompson's removal from the editorship and expulsion from the union.[67]

In the printing industry [68] the sweep of the open shop movement in 1921 destroyed a promising institution of constructive industrial government formed during the good feeling era of 1919 under the name of the International Joint Conference Council.[69] This was an American counterpart of the contemporary Whitley Councils in Great Britain. It included on the employers' side the Closed Shop Branch of the United Typothetae of America, the Printers League of America, and the International Association of Employing Stereotypers and Electrotypers, and on the labor side the printers, pressmen, bookbinders, stereotypers, and electrotypers.[70]

At one of the early meetings of the Joint Conference Council the 44-hour week to begin on May 1, 1921, was approved and later ratified by the affiliated organizations.[71] It will be recalled that the international officers of the printers and pressmen, true to this understanding, suppressed the outlaw strike in New York for making the 44-hour week effective at once.[72]

In the fall of 1920, the open shop book and job printers' associations began a campaign against the 44-hour week. The propaganda proved contagious. The Closed Shop Division, which as a member of the Joint Conference Council had ratified the 44-hour understanding a year earlier, now cast doubts on the move on the ground of interference with production.[73] The United Typothetae as a whole called for resistance to the 44-hour week except where already in force under a contract.[74] In February 1921, the National Forty-Eight Hour League of employers was formed by delegates from thirty-nine states representing 5034 plants and employing 150,760 printing workers.[75]

The Joint Conference Council, in December 1920, had held that all its constituent bodies were morally obligated to put the

[66] West, *op. cit.*, p. 209.
[67] *Seaman*, December 1921, p. 3.
[68] Fein, Marvin M., *The International Typographical Union, 1910–29*, an unpublished thesis in the library of the University of Wisconsin.
[69] *Typographical Journal*, January 1921, pp. 1–2.
[70] Chenery, William L., *The Printers' Council*, pamphlet, p. 3.
[71] *Ibid.*, p. 4; *Typographical Journal*, February 1921, p. 126.
[72] See Chapter XXXIV.
[73] *Typothetae Bulletin*, October 1920, p. 1.
[74] *Ibid.*, p. 1.
[75] *Ibid.*, March 1921, p. 4.

44-hour week in operation on May 1, 1921.[76] But in view of the gathering open shop attack this was to prove small consolation. With the approach of May 1921, war was in the air. President Berry of the International Printing Pressmen and Assistants' Union preferred to avoid a conflict and tried to induce the other printing trades to a voluntary postponement of the 44-hour week for one year.[77] But the International Typographical Union would brook no delay and authorized locals to strike if need be.[78] Berry clearly would have held back even then, but was forced to yield to membership pressure.[79]

The Typographical Union was determined to use all its economic power to compel the employers to live up to their agreement. Each local union was given permission by the Executive Council to settle on the best wage terms obtainable. The crucial problem was the reduction of the hours of labor. On May 25, 203 towns reported strikes in their jurisdictions; the total involved was 8075. The International also reported that 304 locals containing a total membership of 26,875 had obtained the 44-hour week without a strike.[80] A 10 per cent assessment on wages was approved by a vote of 40,703 to 11,499.[81] The membership of the pressmen's union approved the same by a majority vote.[82] The printing trades were willing to make unusual sacrifices because they believed that the employers had abused their confidence. President John McParlan of the International Typographical Union published the fact that the Chairman of the Closed Shop Division of the United Typothetae had admitted to him that the unions had a perfect moral case but nevertheless he was fighting the 44-hour week. Another employer who was the representative of the Printers' League on the Joint Conference Council, was fighting the union in one city while conceding the 44-hour week in another.[83]

By January 1922 the unions were gradually but surely moving to victory. From May 20, 1921, to December of the same year, the International Typographical Union had collected $6,327,478.14

[76] *Typographical Journal*, January 1921, p. 2.
[77] *American Pressman*, April 1921, p. 27, and November 1922, pp. 78–79.
[78] *Typographical Journal*, May 1921, pp. 537–539.
[79] *American Pressman*, November 1922, p. 81.
[80] *Typographical Journal*, June 1921, p. 679.
[81] *Ibid.*, June 1921, p. 679.
[82] *American Pressman*, May 1921, p. 29.
[83] *Typographical Journal*, July 1921, pp. 8–9.

and disbursed $5,483,325.27 in strike assessments.[84] Single men were paid $12 and married men or heads of families, $17 per week.[85] On January 20, the printers reduced the strike assessment to 7 per cent.[86] The pressmen's union canceled its strike assessment on April 22, 1922,[87] and in November the International announced victory all along the line.[88] The printers further reduced the strike assessment to 3 per cent in December 1922 [89] and to 2 per cent in May 1923.[90] Early in 1924, strikes were continuing only in 50 local jurisdictions and the strike assessment was reduced to 1 per cent.[91] In June 1924, when the number on strike had dwindled to below 1000, the strike assessment was discontinued.[92] Between May 1921 and June 1924 the International Typographical Union collected $17,389,411.17 in strike relief and disbursed $15,829,-140.68 in strike benefits.[93] The Pressmen's Union collected near a million dollars.[94]

By contrast with the printing trades who thoroughly mastered the employers' attack, the packing house employees' union, a war-time growth and indebted [95] to the government for having been permitted within the gates of the industry closed to unionism since 1904, proved an easy conquest to the packing companies bent on a restoration of "normalcy."

In March 1921 the Big Five packing house companies declared their intention of abrogating their agreement with the union. The Amalgamated Meat Cutters and Butcher Workmen of North America took steps to hold a strike vote.[96] In Chicago the vote went 21,482 to 207 for a strike and 10 international unions with members in the packing houses placed themselves at the disposal of the Amalgamated in the event of a strike. The Secretaries of Labor, Commerce, and Agriculture helped to avert the strike, the packers agreeing to continue the old agreement.[97]

[84] *Ibid.*, January 1922, p. 11.
[85] *Ibid.*, June 1921, p. 671.
[86] *Ibid.*, January 1922, p. 125.
[87] *American Pressman*, November 1922, p. 86.
[88] *Ibid.*, November 1922, p. 86.
[89] *Typographical Journal*, January 1923, p. 1.
[90] *Ibid.*, May 1923, p. 559.
[91] *Ibid.*, January 1924, p. 8.
[92] *Ibid.*, July 1924, p. 2.
[93] *Ibid.*, June 1924, p. 771.
[94] *American Pressman*, May 1922, p. 23.
[95] See Chapter XXXII.
[96] *Butcher Workman*, March 1921.
[97] *Ibid.*, March, April 1921.

But it was a mere temporary truce. The employers felt that they had to reduce wages. In December 1920 the wages of the unskilled workers had been cut two cents an hour. In March 1921 wages were again reduced.[98] Now the employers pressed the Administrator, Judge Alschuler, to order another wage cut. He refused citing the continued high cost of living.[99] The packers determined that the union and the Administrator had to go. They resorted to a company union.

In June 1921, Dennis Lane, the Secretary of the Amalgamated, complained to Alschuler that the managements were coercing their employees to join the new organization.[100] To the Amalgamated a strike now appeared the only way out. The membership voted overwhelmingly for it and gave the Executive Board discretionary power on setting the date.[101]

In November 1921 came another wage cut.[102] The Executive Board of the Amalgamated met and, fortified with the promise of support from the mechanical trades, ordered a strike to begin on December 5.[103]

The packers now fell back on company unions. For instance, Armour and Company, citing the "Plant Conference Board" denied that there was a strike.[104] This was hardly a true statement of the facts. The large picketing demonstrations, the summoning of companies of national guardsmen, and the injunction suits by the packers in a number of cities, testified to the contrary.[105] The number on strike was estimated at 45,000 in 13 cities.[106]

The union's resources were too meager for a strike of such proportions. The packers turned a deaf ear to the government mediators, insisting that the Amalgamated did not represent their employees.[107] An appeal for outside aid brought disappointing results. The strike was called off in February 1922.[108] The packing industry was back to the open shop.

The open shop movement came to the men's clothing industry in October 1920 when the Clothing Manufacturers of Greater New York, meeting with the leaders of the Amalgamated Clothing

[98] *New Majority*, March 26, 1921.
[99] *Ibid.*, March 26, 1921.
[100] *Butcher Workman*, July 1921.
[101] *Ibid.*, December 1921.
[102] *Omaha Bee*, December 5, 1921.
[103] *Butcher Workman*, December 1921.
[104] *Chicago Tribune*, December 7, 1921.
[105] *Omaha Bee*, December 8, 1921.
[106] *New York Call*, December 10, 1921.
[107] *Butcher Workman*, July 1922.
[108] *Ibid.*

Workers of America in the office of William M. Leiserson, the impartial chairman, demanded the virtual relinquishment of any union control over jobs.[109] The Amalgamated offered a joint investigation of all issues by a committee, or direct adjustments through shop negotiations.[110] The employers stood firm. Hostilities began with a lockout of 16,000 in eight of the largest shops followed by a strike in the remainder of the industry, involving 65,000.[111]

The Amalgamated took steps to collect a defense fund of $1,000,000.[112] It was willing to arbitrate, but the employers were confident of victory, and threatened to force an investigation of the Amalgamated for graft as well as to carry the contest to other centers.[113]

The union's resistance was a model of thorough planning and execution. Unremitting mass picketing and an exemplary management of the commissary department kept up the morale of the union army and the effectiveness of its action.[114]

The employers turned to attacks on the legal front. They filed damage suits against the Amalgamated to the sum of $1,300,000, in addition to suits for injunctions and even for the dissolution of the union.[115] The principal suit was dismissed in court.[116] The strikers held firm. The employers accepted peace on the terms of the union, which included a wage cut not to exceed 15 per cent and standards of production under union control.[117] The contest lasted six months.[118]

In the women's wear industry the open shop campaign was signalized by a breach of agreement by the Cloak, Suit and Skirt Manufacturers' Protective Association of New York. The agreement had been concluded in August 1919 after a brief general strike and gained for the cloak makers the 44-hour week, week work, and classified minimum wages. The agreement was to run for three years.[119]

[109] *Advance*, October 15, 1920, p. 1.
[110] *Ibid.*, November 12, 1920, pp. 1–2.
[111] *Ibid.*, December 17, 1920, p. 1.
[112] *Ibid.*, December 24, 1920, p. 1.
[113] *Ibid.*, p. 2.
[114] *Ibid.*, January 7, 1921, pp. 1–2; January 14, 1921, pp. 1–2.
[115] *Ibid.*, January 21, 1921, pp. 1–2; March 4, 1921, p. 1.
[116] *Ibid.*, April 22, 1921, p. 1.
[117] *Ibid.*, June 3, 1921, pp. 1–2.
[118] *Ibid.*, June 10, 1921, pp. 1–2.
[119] International Ladies' Garment Workers, *Proceedings*, 1920, pp. 6–7.

At the end of 1919, the union requested a revision of the wage scale to bring it abreast of the higher cost of living. The employers cited the three-year term of the agreement as valid cause for refusal. However, Governor A. E. Smith induced both sides to submit to arbitration by a Commission of his appointment, which granted an increase ranging from $2.50 to $6.50 per week.[120]

A difficulty arose over the interpretation of the Commission's decision, the Association claiming that it applied only to those employed when the dispute arose but not to those subsequently hired. The union rejected this interpretation and favored resubmission to the Commission. This the Association was unwilling to allow. The union then withdrew its members from the shops that insisted on applying this interpretation. On October 6, 1920, the Protective Association formally charged the union with breach of agreement and refused to employ the machinery of adjustment under the agreement.[121] The union sought to persuade the Association to restore the functioning of that machinery, but as no other action threatening standards was then taken, the union let the matter rest.[122]

On April 22, 1921, the Protective Association demanded in a letter to the Joint Board of Cloak, Skirt, and Reefer Makers' Unions a revision of wage and production standards, in view of the depression.[123] The Joint Board defended the existing scale but agreed to negotiate.[124] The first conference after nine months of strained relations was held on May 2, 1921.[125] An agreement was reached on June 3, 1921, to set up a joint commission to investigate and report production standards and to bring in a final report on November 1, 1921.[126]

But on August 21, 1921, the same Protective Association of New York issued a confidential invitation to the cloak and suit manufacturers of the whole country to a conference on October 17, 1921. At that conference a decision was taken to reintroduce piecework, the 48-hour week, and to reduce wages. A Federation of Cloak Manufacturers' Associations in the United States and Canada was formed.[127]

[120] *Ibid.*, 1922, p. 8.
[121] *Ibid.*, p. 8.
[122] *Ibid.*, p. 9.
[123] *Justice*, April 29, 1921, p. 1.
[124] *Ibid.*, April 29, 1921, p. 2.
[125] *Ibid.*, May 6, 1921, p. 1.
[126] *Ibid.*, June 3, p. 2; June 10, 1921, p. 1.
[127] International Ladies' Garment Workers, *Proceedings*, 1922, pp. 10–12.

The union remained in ignorance of this development. They learned of the Association's change of course when it refused to call a joint meeting on November 1, 1921, to receive the report of the Joint Commission on Production Standards.[128]

On October 25, 1921, the Protective Association made the policy adopted at the national conference binding upon all its members, to be put into effect on November 14, 1921.[129] It was evident to the union that a struggle was inevitable. The Joint Board ordered a strike vote.[130] On November 15, 1921, 60,000 struck.[131] Fifteen thousand pickets were posted in the garment district.[132]

The union's chief contention was that the Association had violated the agreement. Samuel Untermeyer, the union's special counsel, secured on November 29, 1921, from Judge Guy of the Supreme Court a temporary injunction returnable on December 5, forbidding the Association or any of its officers, "collectively or individually, or their managers, agents, and directors, collectively or individually to direct, influence, advise, or encourage any member of the Association to violate the agreement." [133]

In the midst of the strike in New York, the cloak makers had to defend their standards also in Montreal, Canada, Philadelphia, and Chicago.[134] In Philadelphia and Chicago the strikers were victorious in the latter part of December,[135] simultaneous with the beginning of a strike in Baltimore.

On January 11, 1922, the decision in the injunction suit was rendered by Justice Robert F. Wagner. He sustained the union's claim that the manufacturers had broken a three-year agreement entered into on May 29, 1919, and a supplemental agreement made in June 1921, by their conspiracy to put into effect piece work and the 48-hour week.[136] President Schlesinger acclaimed the court victory.[137] Morris Hillquit, the International's regular

[128] *Ibid.*, pp. 11–12.
[129] *New York Times*, October 26, 1921.
[130] *Justice*, November 4, 1921, pp. 1–2.
[131] *New York Times*, November 15, 1921.
[132] *Ibid.*, November 16, 1921.
[133] *Justice*, December 2, 1921, pp. 1–2; *New York Times*, December 1, 1921.
[134] *Justice*, November 18, 1921, pp. 1–2; December 2, 1921, pp. 1–2.
[135] *Ibid.*, December 30, 1921, pp. 1–2.
[136] Brissenden, P. F., and Swayzee, C. O., "Injunctions in New York Needle Trades," *Political Science Quarterly*, December 1929, p. 555. The Appellate Division affirmed the order on May 26, 1922. *Schlesinger* v. *Quinto*, 201 App. Div. 487 (N. Y. 1922).
[137] *New York Call*, January 12, 1922.

counsel and the outstanding American socialist leader, felt slightly embarrassed by his own victory. He was "by no means converted to the opinion that court injunctions are the proper method of adjusting industrial disputes." [138] Samuel Gompers was emphatically on the negative side. "This injunction determined nothing and means nothing in the struggle of workers against predatory employers. It reveals nothing. It proves nothing." Gompers pointed out that this decision merely restrained a violation of contract, that it held no promise that courts could cease enjoining strikers from doing what they legally had a right to do, and that it might be used to bolster the labor injunction.[139]

The injunction broke the back of the Association's resistance. The employers made a complete surrender.[140]

One of the biggest postwar attacks on unionism was in the building industry. In New York and Chicago it emanated from the "public" side, and exposed a picture of graft and corruption which was equally unflattering to organized employers and employees. In so far, however, as the New York investigation centered its light on the restrictive policies of the building unions, its effect, if not the full intent, was that of an open shop fight. In San Francisco the open shop character of the attack was never in doubt.

In New York in 1919 a three years' agreement was signed between the Building Trades Council, dominated by Robert Brindell, and the Building Trades Employers' Association. The Association and the Council mutually agreed on the closed shop and that no union man would work for a non-member.[141] Brindell, through the power of appointment of the executive committee of seven, could call and end strikes at will. As the erection of iron work in New York was non-union since 1906, and as the large steel producers under the threat of refusing delivery compelled the continuation of the open shop,[142] a reason for calling a strike was never lacking.[143]

In the summer of 1920 a joint investigating committee of both houses of the New York legislature, known as the Lockwood Committee, was set up to investigate the building industry of

[138] *Ibid.*, January 12, 1922.
[139] *American Federationist*, February 1922, pp. 117–119.
[140] *New York Call*, January 17, 1922.
[141] *New York Times*, December 31, 1920.
[142] *Ibid.*, December 15, 16, 1920.
[143] *Ibid.*, January 18, 1921.

New York City. Samuel Untermeyer volunteered his services to the Committee. He exposed a tripartite arrangement between certain contractors, Brindell of the Building Trades Council and the material dealers. The mechanism was devised and worked by a lawyer, John T. Hettrick, who controlled several building employers' associations. Contracts were allotted to insiders with the aid of a "code of practice," and a card system. Four per cent of the gross amount went into a special fund, of which 1 per cent went into the pocket of Hettrick. If a contractor refused to "play the game," he was turned over to Brindell with his absolute power to call a strike.[144] Brindell also collected on his own. Nineteen contractors confessed having paid him amounts ranging from $200 to $32,000, or a total of $175,871 as "strike insurance." [145] In addition he sold his favor to certain sub-contractors and coerced general contractors to employ them at exorbitant figures.[146]

The Lockwood investigation also discovered widespread graft and corruption amongst building material dealers, secret combinations, and collusive bidding among manufacturers and dealers in cement, lime, gravel, brick, stone, and other building materials. The prices of these commodities began to decline as soon as the probe turned its searchlight upon the secret agreements.[147]

Brindell was indicted for extortion, convicted, and sentenced to serve from five to ten years in prison.[148] Hettrick and a number of contractors were also convicted.[149] The American Federation of Labor reorganized the New York Building Trades Council and eliminated Brindell.[150]

A dramatic incident in the investigation was the clash between Gompers and Untermeyer on the restrictive rules of the building trade unions. Much publicity was given to the manner in which those unions "make work" and prevent technological improvement which would do away with jobs. Gompers was willing to admit that the situation called for reform but insisted that it must come from within, from the unions themselves, rather than from an outside power like the legislature. To the public, at that

[144] *Ibid.*, October 21, 1920.
[145] *Ibid.*, November 19, 1920.
[146] Chenery, William, and Fitch, John A., "The Untermeyer Revelations." *Survey*, January 1921, p. 493.
[147] *New York Times*, November 20, December 2, 3, 1920.
[148] *Ibid.*, February 9, 1921.
[149] *Ibid.*, May 4, 5, 9, 1921.
[150] *Ibid.*, March 8, June 4, 1921.

time resentful at the aggressiveness of the unions, Gompers' objection to reform by law was a mere evasion of the question, amounting to a condoning of anti-social conduct by organized labor. The *rationale* of union restrictive rules, their purposes of protecting the wage earners against excessive unemployment, speeding up and other injurious effects of competition, forever eludes the public. Hence the exposure of these restrictions is the unfailing weapon of the open shop movement.[151]

A similar exposure in the Chicago building industry by the Dailey Committee, appointed by the Illinois legislature, which brought to light a state of affairs differing only in particulars from that of New York, served as a prelude to the bitterest anti-union campaign in the history of the Chicago building industry.[152]

The disclosures resulted in the indictment of a number of officers of the Chicago building trade unions for graft and extortion, including the President and former President of the Building Trades Council.[153] Apparently the indictments were based on inadequate evidence as the cases were not pressed for trial.

The investigations aroused public sentiment against high building costs. In Chicago, at the expiration of the majority of the trade agreements of the building crafts on May 1, 1921, wage deflation became the order of the day. The old scale was $1.25 an hour for all skilled crafts and $1.00 an hour for common labor. The contractors now proposed a 20 per cent reduction for all classes. The unions were willing to accept a 10 per cent cut, but the employers were firm. Chicago building was at a standstill.[154]

After a six weeks' suspension, the unions accepted the employers' proposal for arbitration by an outsider. Federal Judge Kenesaw M. Landis was chosen, but the carpenters and painters, still under unexpired contracts, stood aloof from the arbitration. Although the arbitration agreement was broad enough to cover working rules as well as wages it was understood that he would arbitrate solely on the issue in dispute, which was the wage scale, and that working rules were to be included only upon a specific request by both sides. The Judge, however, refused to be limited. He called

[151] State of New York, *Final Report of the Joint Legislative Committee on Housing*, Albany, 1923, pp. 50–59.

[152] *Chicago Herald-Examiner*, April 11, 24, 26, 1921; *Report of Illinois Building Investigation Committee*, authorized by 52d General Assembly, 1921.

[153] *Chicago Herald-Examiner*, June 23, 1921.

[154] *New Majority*, January 4, 1922, pp. 1–2.

both groups before him, and informed them that he considered the working rules so closely interwoven with the wages issue that he could not undertake to arbitrate the one without going into the other. The unions objected, but were coerced into acquiescence by his threat to be guided in his wage decision by their unwillingness to have him pass on their rules. Added to this was the public opposition to unionism engendered by the Dailey Committee disclosures.[155]

The Award was handed down on September 21, 1921, and had the effect of a bombshell in the union camp. A majority of the trades spontaneously quit the jobs. In some cases the Landis rates were below those offered by the contractors.[156] The Award wage was a maximum wage, whereas the custom had been to set a minimum rate with differentials for superior industrial skill. It also did away with the uniform wage for all skilled trades. As several trades, perceiving the Judge's arbitrary attitude toward the time hallowed union rules, had withdrawn from the arbitration proceedings prior to the issuance of the Award, the Judge demanded that the trades under the Award shall force the others to submit or be debarred from the jobs.[157]

The carpenters led the revolt against the Landis Award in the Building Trades Council and struck against the Award jobs. The bricklayers led the pro-Landis unions.[158] The Award became the fighting issue of the open shop movement in Chicago.

The Citizens' Committee to Enforce the Landis Award was organized by the Illinois Manufacturers' Association, the Chicago Chamber of Commerce, the Chicago Employers' Association and leading mercantile and manufacturing establishments.[159] The Citizens' Committee began a drive to institute the open shop in all trades rejecting the Award.[160] It set out to raise $3,000,000 to be used to import strikebreakers and furnish protection to open shop jobs.[161]

The Citizens' Committee was led by T. E. Donnelley, the open shop leader in the printing industry, and had the support of big

[155] Bing, Alexander, "The Posse Comitatus in Industry," *Survey*, January 15, 1923, pp. 493–494.
[156] *New Majority*, September 24, 1921, pp. 1–2.
[157] *Ibid.*, October 1, 1921, p. 4.
[158] *Ibid.*, January 14, 1922, p. 1.
[159] *Ibid.*, November 19, 1921, pp. 1–2.
[160] *Chicago Tribune*, November 11, 1921.
[161] *Ibid.*, November 24, 1921.

business and the large banks. It saw to the circulation of the names of contractors, sub-contractors, and architects on the side of the Award among those intending to build. Contractors dealing with the anti-Landis unions were boycotted. Detectives were employed to prevent deviations from the conditions of the Award by those who officially were under it. Building mechanics were card catalogued, giving rise to the unions' charge of a blacklist. The Carpenters' District Council unsuccessfully tried to get a permanent injunction against the Citizens' Committee from a State court.[162]

The building unions countered the open shoppers' solidarity by efforts to arouse general labor solidarity for the fighters against the Award through mass meetings and demonstrations. The entire Chicago labor movement joined in the denunciation of the Citizens' Committee in a monster parade.[163] The intimidation by the Citizens' Committee was paralleled by the bombing of Landis Award jobs, with several fatalities. The union offices were spectacularly raided by the police and several were indicted.[164] The cases were never brought to trial.

The split in the Building Trades Council between the pro-Landis and anti-Landis unions brought the presidents of the International unions to Chicago. They aligned themselves with the pro-Landis group and urged a reorganization of the Council by excluding the anti-Landis unions. The carpenters were at the time outside of the Building Trades Council, as the International had just left the Building Trades Department due to a disagreement with the National Board of Jurisdictional Awards. Another union, the painters', had also not been a party to the Landis arbitration.[165]

At the expiration of the Landis Award contract, on May 3, 1923, the pre-Landis uniform scale was re-established. Due to the building boom the anti-Landis unions had prospered despite the Citizens' Committee. Disaffection over the high handed methods of the Citizens' Committee had also spread amongst the contractors. Another group of building construction companies operating on a national scale and therefore to a lesser degree under the influence of the Chicago "spirit" and the Chicago bankers, had been alienated by the unyielding policy of the Citizens' Com-

[162] *New Majority*, February 11, 1922, p. 1; February 18, p. 1.
[163] *Ibid.*, May 6, 1922, pp. 1–2.
[164] *Chicago Tribune*, May 11, 1921.
[165] *New Majority*, July 29, 1922, p. 3.

mittee. It was also regarded that the mechanics supplied by the Citizens' Committee's employment offices were less efficient. In 1924, many contractors broke away and entered into formal agreements with anti-Landis unions. The Citizens' Committee threatened, but did nothing. In 1926 the Building Trades Council took the offensive and ordered its affiliated unions not to sign contracts which compelled their members to work with non-union men. By January 1927, the last traces of the Landis Award episode had been liquidated.[166]

In San Francisco the attack on the building trade unions under the inspiration of the American Plan was successful beyond all expectations. Early in 1920, 15 of the building trades asked an increase in wages against the wishes of President P. H. McCarthy of the Building Trades Council whose old dictatorial power over the unions had weakened. In July the Builders' Exchange informed the Council that no concessions would be granted to the crafts except with its approval. This was the first public notice that the employers in the whole industry had united for common action. In September the Exchange formally rejected all demands for increases. In January 1921 the Chamber of Commerce succeeded in producing an agreement between the Builders' Exchange and the Building Trades Council to submit the disputed issues to an arbitration board of Archbishop Edward J. Hanna, former Supreme Court Justice of California, M. C. Schloss, and G. L. Bell, a consultant on industrial relations and management.[167] The agreement was a vital innovation [168] in the San Francisco building situation, since by it, labor granted "recognition" to the employers. The Board considered the demands for raises by 15 crafts and for reductions in two crafts. On March 31, 1921, the Board granted a 7½ per cent decrease in wages in each of the 17 crafts, effective for six months beginning April 11. The decision was based upon the decline in the cost of living.[169] The Council, startled by the Award, demanded a rehearing. As the issue in 15 crafts was of a wage increase, the Council argued that for these crafts the Board had clearly exceeded its authority.[170] On May 2

[166] Haber, William, *Industrial Relations in the Building Industry*, Harvard University Press, Cambridge, 1930, pp. 393–396.

[167] *San Francisco Chronicle*, April 30, 1921; Ryan, F. L., *Industrial Relations in the San Francisco Building Trades*, pp. 237–246; *Organized Labor*, May 7, 1921.

[168] See Chapter VII.

[169] *Organized Labor*, April 9, May 7, 1921.

[170] *Ibid.*, March 26, 1922.

the Building Trades Council formally rejected the award. The Builders' Exchange insisted that the Council abide by the arbitration agreement.[171] The Chamber of Commerce backed the Builders' Exchange. As the crafts refused to yield, a general lockout ensued.[172]

The Chamber of Commerce was determined to use this opportunity to rally the banking and business interests for an attack upon the hitherto impregnable citadel of San Francisco unionism. The Building Trades Council tried to fight back by using its old fighting device of setting up material supply houses to furnish materials to pro-union contractors, but to no avail.[173] On May 20, 1921, the Builders' Exchange gave the Council three days to accept the award or face a lockout in San Francisco, Alameda, Marion, and San Mateo counties. The Council disregarded the ultimatum, and the enlarged lockout tied up $100,000,000 of construction.[174] Disregarding another plea from the Council for a reopening of the wage issue, the Builders' Exchange announced the open shop on all buildings beginning June 13. The Council now decided to accept the award, even though it still considered it unjust.[175] But the Exchange, certain of its superior position, was not anxious for peace. San Francisco's business interests, long smarting under McCarthy's dictatorship, were unwilling to stop short of a complete annihilation of the "Labor Barony." The Builders' Exchange refused to accept the surrender of the Council on the wage question and insisted on "no quarter" and the open shop.[176]

Building was resumed under the open shop. The Chamber of Commerce, through the Industrial Association, organized to enforce the open shop, raised a fighting fund of over $1,000,000.[177] The anti-union campaign was carried on all fronts. Non-union men were imported and given protection. The press and other opinion molding agencies were lined up. But the most telling weapon was the economic boycott. Contractors refusing to comply with the American Plan were refused materials and bank credits. Pressure was used on owners to cancel contracts with builders

[171] *San Francisco Chronicle*, April 30, May 2, 3, 1921.
[172] *Organized Labor*, May 22, 1922; *San Francisco Chronicle*, May 13, 1921.
[173] Ryan, *op. cit.*, pp. 258–260.
[174] *San Francisco Chronicle*, May 20, 26, 1921.
[175] *Ibid.*, June 3, 10, 1921.
[176] *Ibid.*, June 11, 1921.
[177] Ryan, *op. cit.*, pp. 264–265.

employing union men.[178] In July the Chamber of Commerce proposed a dictated peace under the American Plan, with some revision of wage rates and employers to deal directly with their employees or with individual craft unions. Under this proposal the Building Trades Council was ruled out. McCarthy favored acceptance, but the membership defeated it in a referendum vote.[179]

McCarthy's one-time dictatorial power was gone. He was now threatened by a revolt from within. A Conference Committee of Allied Building Trades Unions sprang up and sought to negotiate over his head with the Builders' Exchange. When its overtures were rejected, it tried next to call a general strike. This was squelched by the refusal of the San Francisco Labor Council to indorse it.[180]

McCarthy, in an effort to save the situation, was even willing to come to terms with this dual body. A more pointed anti-McCarthy move was the Rank and File Federation organized in August. It held him responsible for the *débâcle* of the unions. This revolt was subdued by the Internationals revoking the charters of their respective locals which had joined. In McCarthy's own Council the Rank and File Federation mustered one-sixth of the votes.[181] Late in August 1921, the unions formally surrendered and accepted the open shop as well as the wage cuts. The American Plan triumphed and the employers set about perpetuating their supremacy by instituting schools for the training of journeymen.[182] McCarthy resigned as President of the San Francisco Building Trades Council, in January 1922, after a reign of a quarter of a century.[183]

The postwar drive to liquidate labor's war-time achievements was on the entire industrial front. In the highly organized trades wage deflation and weakening union control were its twin objectives. In a poorly unionized industry, like the textile, the attack was mainly on wages and hours.

The National Cotton Manufacturers' Association, meeting in Boston on January 4, 1922, issued a statement that for the present

[178] Haber, William, *op. cit.*, pp. 416–418.
[179] Ryan, *op. cit.*, pp. 265–266.
[180] *Ibid.*, pp. 267–268.
[181] *Organized Labor*, May 25, 1922; Ryan, *op. cit.*, pp. 270–271.
[182] Ryan, *op. cit.*, pp. 272–273.
[183] *Organized Labor*, January 21, 1922.

wages would not be cut. New England cotton wages had been reduced 22½ per cent in January 1921. But the statement significantly added: "Those mills which could conveniently cut wages would have the full moral and financial backing of the Manufacturers' Association." [184]

On January 19, the Pawtucket Valley mills cut wages 20 per cent and increased the hours from 48 to 54.[185] The Rhode Island Textile Council of the United Textile Workers of America, with 28 local unions, voted to resist to the bitter end. The Amalgamated Textile Workers, an independent union, sprung into existence in connection with the Lawrence strike of 1919,[186] pledged its co-operation.[187]

The strike began on January 23 as a spontaneous walkout in one of the mills and spread like a forest fire.[188] The Amalgamated Textile Workers was directing the strike in the Pawtucket Valley, while the strike in the Blackstone Valley was led by the United Textile Workers.[189] The strike was extended through the Pawtucket Valley by "iron battalions," formations of pickets and strike heralds carrying drums and bugles, who in the early hours of the morning laid siege to mills to be tied up and did not withdraw until the purpose was accomplished.[190] Some clashes with the police occurred and the State militia was brought into the Pawtucket Valley. Mediation efforts by the State Labor Commission failed, as both unions demanded a return to the old conditions and a promise of no discrimination.[191]

In the meantime, wage reductions were gradually being declared in other sections of New England. The attack on wages was apparently proceeding according to a prepared plan. Resistance by the mill employees kept pace with the spread of wage cutting. In Manchester, New Hampshire, a secret strike vote gave 12,032 for to only 118 against striking.[192]

The 18,000 Rhode Island strikers were joined by 40,000 in Manchester, Lowell, and other places. In Massachusetts where

[184] *Textile Worker*, September 1922, p. 354.
[185] *Providence Journal*, January 21, 1922.
[186] See Chapter XXXIV.
[187] *Providence Journal*, January 23, 1922.
[188] Lyons, Eugene, "Fighting the 54 Hour Week," *Labor Age*, April 1922, pp. 11–13; *Providence Journal*, January 24, 31, 1922.
[189] *Providence Journal*, February 1, 1922.
[190] *Ibid.*, February 21, 1922; Lyons, *op. cit.*, p. 11.
[191] *Ibid.*, February 21, March 1, 1922.
[192] *Textile Worker*, February 1922, p. 532.

the hours were fixed by law, the strike was only against the 20 per cent wage reduction.[193]

The mill owners, to justify the wage reduction on top of the 22½ per cent of the previous year, pleaded Southern competition. The United Textile Workers employed accountants to make an analysis of the financial statements of the leading companies and placed it before the public as paid advertisements in the newspapers.[194] The Amoskeag, the largest cotton mill in the world, was shown to have earned in 1921 a profit of $1,722,647, paying the highest dividends in its history. It had also declared in 1919 a 100 per cent stock dividend. The wage cut of 1921 was voted simultaneously with an extra dividend.[195]

In Lawrence the Pacific mills announced a 20 per cent reduction on March 21. The other mills followed suit.[196] Lawrence joined in the strike, bringing the total on strike up to 85,000.[197] In Lawrence the harmony between the rival unions which characterized the Pawtucket Valley situation, was not repeated. President McMahon of the United Textile Workers spurned the offer of Ben Legere of the One Big Union to cooperate.[198]

The Lawrence sector of the strike was enlivened by Legere's charges of McMahon's treason to the cause of labor.[199] The strikers' ranks held solid throughout New England.[200] The mills rejected mediation by State authorities. The police in many towns tried to restrict the effectiveness of picketing by novel regulations such as the one in Manchester, that only residents of the city could address the strikers.[201] President McMahon defied this prohibition and was arrested.[202] In Lawrence the companies dropped the suit for an injunction when both the One Big Union and the United Textile Workers stated their intention to refrain from mass picketing.[203] The members of the One Big Union were not altogether punctilious in following their leader's

[193] *Ibid.*, February 1922, p. 513.
[194] *Ibid.*, April 1922, pp. 11–13.
[195] *Ibid.*, April 1922, p. 16.
[196] *Boston Transcript*, March 21, 1922.
[197] Clark, Evans, "Textile Facts and Figures," *Textile Worker*, April 1922, p. 18.
[198] *Boston Transcript*, April 1, 1922.
[199] *Ibid.*, April 4, 1922.
[200] *Providence Journal*, April 18, 1922; *Boston Transcript*, June 5, 15, 26, 1922.
[201] *Boston Transcript*, June 26, 1922.
[202] *Ibid.*, June 30, 1922.
[203] *Ibid.*, July 17, 1922.

policy, and a temporary injunction against the One Big Union followed.[204]

Early in August, conferences between the mills and the strikers' representatives began. On August 23, the United Textile Workers called off the strike against the Pacific Mills which agreed to restore the old wages. The union was completely victorious.[205] The three other mills in Lawrence followed suit.[206] The Rhode Island mills likewise rescinded the wage cut.[207]

In New Hampshire the strikers succeeded in nominating a pro-48-hour slate on the State Republican ticket. Considering the fight won with this political victory, many began returning to their jobs in the Amoskeag mill. The movement back to the jobs was strengthened by the invitation by the Catholic Bishop of Manchester to the companies and the strikers to discuss a basis of settlement. The strikers assumed that he had been given assurances by the employers of willingness to make concessions. This broke the morale of the strikers. The strike was called off.[208]

[204] *Ibid.*, July 27, 1922.
[205] *Ibid.*, August 23, 1922.
[206] *Ibid.*, August 28, September 5, 1922.
[207] *Providence Journal*, September 12, 1922; *Textile Worker*, September 1922, p. 339.
[208] *Textile Worker*, December 1922, pp. 538–539.

CHAPTER XXXVIII

WAGE DEFLATION THROUGH GOVERNMENT

The Transportation Act of 1920 returned the railroads to their private owners and set up the Railroad Labor Board of nine members, three representing management, three the public, and three labor. The Board rendered a hasty decision on wages on July 20, 1920. The shop employees were granted an increase of 13 cents per hour. The craft unions accepted the award by an overwhelming membership vote.[1] The same award continued the National Agreements concluded between the United States Railroad Administration and the unions in September 1919, pending further consideration. In the interval no changes were to be made except by agreement between the carriers and their employees.[2]

In the fall of 1920, with the change in business conditions, the railroads began to reduce heavily their personnel. The shop crafts and other maintenance employees complained of a 40 per cent unemployment in their ranks. They attributed the unemployment not alone to the depression but to the growing railroad practice of contracting out work to outside shops as a way of escaping the regulations laid down in the award of July 1920. Hearings by the Railroad Labor Board on Rules and Working Conditions were begun in Chicago on January 10, 1921.[3]

Early in March the railroad executives made a concerted move to deflate railroad wages. They argued before the Board that wages in outside industries had declined, and that labor was available at lower rates than those prescribed in the award of 1920. The majority of the roads asked that the total wage increase of July 1920 should be set aside. Some even asked for a larger cut.[4] The Railway Employes' Department of the American Federation of Labor, embracing twelve international unions, presented the case against wage reduction through especially employed econo-

[1] Brotherhood of Railway Carmen of America, *Proceedings of the 14th Convention*, 1921, p. 42.

[2] *Ibid.*, p. 43.

[3] Railway Employes' Department, *Official Proceedings of the 6th Biennial Convention*, 1921, pp. 20–21.

[4] *Labor*, April 23, 1921.

mists and statisticians.[5] On June 1st, 1921, the Board ordered a reduction of wages ranging from 5 to 18 cents an hour. The Board called upon labor to carry its share of the burden of the general economic adjustment.[6] All railroad labor groups were in rebellion against this decision. They felt that they had been made to wait longest for a wage increase, and now they were among the first organized groups to be subjected to deflation. The four train service brotherhoods made full preparations for a strike on October 20. The strike was averted when the Board announced that before it returned to the wage question it would completely dispose of the matter of the working rules. This guaranteed the brotherhoods a respite from additional wage deflation moves which they foresaw were in the offing. The Federated Shop Crafts, a part of the Railway Employes' Department, held a vote on the wage decision and by a majority in each union voted to reject the decrease.[7]

The Board began a revision of the National Agreements with a decision on August 11, 1921, releasing the railroads from paying overtime rates for work on Sundays and legal holidays; in this the Board overthrew a practice antedating the war. Also the minimum guarantee of hours to an employee called out for special work was reduced from 5 to 4.[8] President Bert Jewell of the Railway Employes' Department, to prevent rash action by the indignant shop employees, was obliged to request the several unions to send emissaries to the main railway shops in the county.[9] The officials warned against unauthorized strikes. At the same time the Department pledged itself never to agree to incorporate these modifications of the rules into the agreements to be substituted for the National Agreements virtually abolished by the Board. The membership was urged to perfect their organization "to carefully conserve their personal finances [and] to be prepared for war." [10] And finally the Department ordered a vote on assessing the membership one day's pay for a defense fund.[11]

The railroads sought a further cut. The shop crafts as a counter move presented demands for a five cents an hour increase.[12]

[5] Brotherhood of Railway Carmen of America, *Proceedings*, 1921, pp. 50–51.
[6] *Labor*, June 4, 1921.
[7] Brotherhood of Railway Carmen, *Proceedings*, 1921, pp. 50–51.
[8] *Labor*, August 27, 1921.
[9] Railway Employes' Department, *Proceedings*, 1922, pp. 61–62.
[10] *Labor*, September 3, 1921.
[11] Railway Employes' Department, *Proceedings*, 1922, p. 62.
[12] *Labor*, December 3, 1921.

The executive boards of the shop craft internationals in January 1922, accepted all the new rules except the one abolishing overtime for Sunday and holiday work, and instructed the system federations to approach the railroad officials for the purpose of working out new agreements.[13] Evidently they felt confident of their ability to control the membership.

In the meantime the evil of contracting out was assuming menacing proportions. Not only was work given out to outside shops but through a subterfuge on some lines the railways' own shops became transformed into contract shops. In these shops, in the main, the same foremen and supervisory force were in control and the necessary tools and materials were furnished by the carrier from its own stores. But the contractor arrangement made possible the substitution of piece work for authorized methods of wage remuneration. Contracting extended not only to the shops but also to the maintenance of way, clerical, and even signal departments.[14] The Erie Railroad led in this practice of farming out. It soon threatened to become general.[15] The Federated Shop Crafts presented their cases against farming out in December 1921.[16]

In May 1922, the Board ruled that this practice was in violation of the Transportation Act. The carriers refused to heed this decision. Employees who attempted to have it enforced were discharged.[17] On June 29, 1922, the Railroad Executives' Association formally refused to accept the decision on farming out and announced that it would contest the Board's authority. Thus the Board that had proved such an efficient agency of wage deflation, was no better than a broken reed when its decisions favored labor.[18]

The Pennsylvania Railroad challenged the very right of the unions to speak for its employees. The Pennsylvania shopmen were organized during the war as on the majority of the roads. The Company took over the National Agreements negotiated by the Railroad Administration and dealt with the officers of the System Federation.[19] When the National Agreements were ab-

[13] *Ibid.*, January 28, 1922.
[14] Railway Employes' Department, *The Case of the Railway Shopmen*, pamphlet, 1922, pp. 40–42; *Labor*, November 12, 1921.
[15] Railway Employes' Department, *Proceedings*, 1922, p. 77.
[16] *Labor*, December 24, 1921.
[17] *The Case of the Railway Shopmen*, pp. 41–43.
[18] *Ibid.*, pp. 44–45.
[19] Railway Employes' Department, *Proceedings*, 1922, p. 99.

rogated, negotiation of new rules and working conditions was relegated by the Labor Board to the representatives of the carriers and their employees. In these negotiations a majority of any craft or class of employees had the right to determine which organization should represent them.[20] The Pennsylvania Railroad now refused to recognize the authority of System Federation No. 90, with which it had heretofore dealt as the representative of the shop crafts, asserting that it lacked proof that the System Federation represented its employees, and sponsored a company union. The Federation proposed to the management to hold a jointly supervised election to determine which organization the employees regarded as their true representatives. The Company refused and as a result two separate votes were taken. On the ballot submitted by the System Federation the vote was 37,297 in its favor and only 10 opposed. Only 5236 participated in the ballot issued by the Company. Nevertheless the Company began negotiating with the persons selected as representatives under this employee representation plan.[21] The Railway Employes' Department took the case to the Labor Board.[22] The Board upheld the union's contention that the Company had deliberately ignored the authorized representatives of the great majority of its employees, and ordered a new vote prescribing the type of ballot to be used.[23] Thereupon the Company took the ground that this question did not come within the jurisdiction of the Board. The Board summoned the Pennsylvania Railroad to appear before it to show cause why it should not be publicly pronounced guilty of having violated the Transportation Act. The decision was due on December 20th, 1921, but the Company secured a temporary order from the Federal District Court in Chicago, enjoining the Board from publishing its decision. The injunction was made permanent in May 1922. The case was duly appealed, but the Company had gained time to consolidate and to extend its company union.[24] Again a decision favorable to labor was rendered useless for all practical intents and purpose.

In March 1922 the railroads' request for another wage reduction was heard. At the end of May the Board handed down its first decision. The wages of the 400,000 maintenance of way men were reduced from one to five cents an hour. Track laborers and

[20] *Ibid.*, p. 100.
[21] *Ibid.*, p. 100.
[22] *Labor*, July 30, 1921.
[23] *Ibid.*, August 13, 1921.
[24] *Ibid.*, May 13, 1922.

all common laborers working in or about roundhouses had their rates cut five cents an hour. The lowest paid group received the biggest reductions. The average hourly rate for common labor was fixed at 32½ cents an hour.[25] The next wage decision reduced the wages of the shop crafts on the average 12 per cent. All reductions were to go into effect on July 1, 1922.[26] The train service brotherhoods were spared in this attack on wages.

Strike votes were announced by the maintenance of way men and the shop crafts on contracting out, on the elimination by the Board of overtime rates for Sundays and holidays, and on the latest wage reductions.[27]

Over a million ballots, returnable at midnight, June 30th, 1922, were prepared. The Railway Employes' Department apprised the Railroad Labor Board of the strike ballot action and asked for an immediate hearing upon the charges against the roads. The Labor Board set the hearing for June 26. But the union leadership, pressed by the membership, could not accept delay and upon the Board's final refusal of an early hearing, released the strike ballots on June 17th.[28] The vote was overwhelming in favor of a strike.[29] Official notice was given the Labor Board that its decisions reducing wages would not be accepted. On June 27, the Railway Employes' Department authorized a strike by the six shop craft and the maintenance of way men to take effect on July 1, unless the railway executives immediately yielded on the three points at issue.[30]

President Grable, of the maintenance of way men, on his own responsibility dissociated his union from the strike, although his membership had voted just as overwhelmingly for the strike as the shopmen. Moreover, the way men had been subjected to the severest wage deflation of all. Grable appealed to the Board for a rehearing for his men. As the shopmen's strike was already on, the Board eagerly granted the rehearing. The Board made a slight improvement in the wages of the maintenance of way men and Grable kept them at work.[31]

The shopmen's walkout was 90 per cent effective.[32] Benjamin

[25] *Railway Maintenance of Way Employes' Journal*, June 1922, pp. 5–7.
[26] *Labor*, June 10, 1922.
[27] *Ibid.*, June 10, 1922.
[28] *Ibid.*, June 17, 1922.
[29] *Ibid.*, June 24, 1922.
[30] *Ibid.*, June 24, July 1, 1922.
[31] United Brotherhood of Maintenance of Way Employes and Railway Shop Laborers, *Proceedings*, 1922, pp. 113–114; *New York Times*, July 2, 1922.
[32] *New York Times*, July 2, 1922, p. 37.

Hooper, the chairman of the Railroad Labor Board, branded the strike as an outlaw movement and urged the roads to form company unions.[33]

The strike practically at once forced the railroads throughout the country to begin canceling trains and reducing their service. The Railroad Labor Board, now the railway executives' enthusiastic ally, threatened the strikers with the loss of seniority unless they returned by July 10.[34] The threat failed.[35] The labor group on the Board, headed by Wharton of the machinists, branded the utterances of Chairman Hooper, speaking for the employer and "public" groups, as "a network of mis-statements." [36]

The brotherhoods stood aside from the strike. The membership in many instances displayed a readiness for interference but on the whole their stand was that of benevolent neutrality.[37]

A dramatic incident occurred on the Santa Fe Railroad. About 300 passengers were marooned at Needles, California, the train crews refusing to move their trains in protest against faulty equipment and the presence of armed guards.[38] The press branded these railroad men as heartless deserters of the passengers in their charge on a burning desert. Actually the passengers suffered a four days' delay but not from lack of food and water.[39]

In the second week of the strike, Chairman Hooper proposed to the Association of Railroad Executives to resume negotiations with President Jewell. The Executives demanded that the men first return to work.[40] Hooper then appealed to the men over the heads of their leaders to return to their jobs.[41] Instead, the strikers' ranks were increased by 10,000 stationary firemen and oilers.[42] The International President of the Steam and Operating Engineers' Union also authorized members employed around terminals to join the shopmen's strike.[43]

Late in July the Baltimore and Ohio Railroad indicated to a strikers' committee its readiness to conclude a separate peace.[44] But the strikers were averse to deserting their fellows on the

[33] *Labor*, July 8, 1922; *New York Times*, July 4, 1922.
[34] *Machinists Monthly Journal*, August 1922, p. 556.
[35] *Labor*, July 8, 1922.
[36] *Ibid.*, July 8, 1922.
[37] *New York Times*, July 12, 1922; *Labor*, July 8, 1922.
[38] *San Francisco Chronicle*, August 11, 1922.
[39] *Ibid.*, August 17, 1922.
[40] *New York Times*, July 13, 1922.
[41] *Labor*. July 15, 1922.
[42] *Ibid.*, July 22, 1922.
[43] *Ibid.*, July 29, 1922.
[44] *New York Times*, July 27, 1922.

other roads.[45] On July 31, President Harding proposed a return to work and a submission of all issues to the Labor Board without prejudice to either side. In this event the strikers would have returned with all their rights, including seniority, unimpaired. The unions were willing to accept, but the railroad Executives balked on restoring seniority. Thereafter the strike was for the restoration of seniority and not for the redress of the original grievances.[46]

The brotherhoods now took a hand as mediators at Jewell's request. Grand Chief Engineer Warren G. Stone arranged for a conference of the 16 standard railroad labor organizations with President Harding on August 12, at which the President was urged to insist upon acceptance by the railroads of his earlier proposal. The President, however, met with a complete refusal from the Railroad Executives' Association, which was willing to have the Board reconsider the matter of wages but stood firm on the seniority issue.[47] Thereupon the brotherhoods tried direct persuasion on the railway executives but to no avail.[48]

The obduracy of the railroad Executives came from their confidence that they had mastered the strike. The Association of Railway Executives claimed that over 16,000 shopmen had been hired in the last four days of August.[49] If the Executives' claim is to be taken at its face value, then the sensational interference by the Attorney General of the United States, Harry Daugherty, which came at this point, could only have been intended as a *coup de grace* to a dying gladiator. In his argument, however, before Judge James Wilkerson, the Federal District Judge in Chicago, whom he himself had recommended for appointment, to secure the most sweeping injunction ever issued in a labor dispute, Daugherty painted a totally different picture of the then state of affairs; namely that the country was faced with a total collapse of its railroad transportation.[50] He charged the strikers with unlawful conspiracy under the Sherman Anti-Trust Act. The restraining order was issued by Judge Wilkerson on September 1, and a preliminary injunction on September 23. The injunction extended

[45] *Ibid.*, July 29, 1922.
[46] *Ibid.*, July 31, 1922.
[47] *Locomotive Engineers' Journal*, September 1922, pp. 653–655; *Labor*, August 26, 1922.
[48] *Ibid.*, p. 655.
[49] *New York Times*, September 1, 1921.
[50] *Ibid.*, September 2, 1922.

to the whole territory of the United States and named the officers of the Railway Employes' Department, the six shop crafts and 120 system federations. The injunction forbade them, their associates, attorneys, and members from engaging in activities that even in the remotest degree had a connection with the strike, including the disbursement of union funds and communicating by telephone.[51]

Organized labor received the issuance of such an unheard-of injunction with profound resentment. Voices were raised for a general strike but the American Federation of Labor discouraged it. The reply of the strikers was given by William Johnston, President of the International Association of Machinists, who declared that "we will continue the strike whatever happens. We are not afraid of anything the courts can do." [52] The Daugherty injunction failed to stop strike activities. If anything, its sweeping character gained the strikers greater support.

Daniel Willard, President of the Baltimore and Ohio Railroad, led the moderate group of railway Executives. He proposed to the Shop Crafts Policy Committee separate settlements for each railway system. The Committee was not of one mind. Jewell and a majority were for acceptance. A strong minority feared that settlements on some roads would scuttle the strike against the "hard boiled" roads by injuring the strikers' morale and perchance even by creating an opportunity for those roads to have their repair work done in the shops of the more conciliatory ones.[53] Finally the majority view prevailed.[54] Separate settlements were authorized on condition that the strikers were restored to their status of June 30, within 30 days of the settlement, and that complaints were to be settled by a joint commission.[55] Separate settlements began. The first to settle were the Baltimore and Ohio, the Chicago, Milwaukee and St. Paul, the Chicago and North Western, the Southern, and the Seaboard Air Lines, employing a total of 85,000 shopmen.[56] Early in October, the New York Central signed up. The Erie which had led the way in the

[51] The full text of the Daugherty injunction is found in Frankfurter and Greene, *The Labor Injunction*, Macmillan, New York, 1930, pp. 253–263. The injunction was made permanent on July 12, 1933. (Berman, *op. cit.*, p. 144.)

[52] *New York Times*, September 7, 8, 1922.

[53] *Ibid.*, September 13, 14, 1922.

[54] *Labor*, September 14, 1922.

[55] *Ibid.*, September 16, 1922.

[56] *Ibid.*, September 23, 1922.

farming out system also settled.[57] By the middle of October, 98 roads with 75,000 miles of track and more than 25,000 locomotives signed up.[58]

The settlement was a salvaging operation. It saved the unions and the seniority status of 225,000 striking shopmen. The remaining 175,000 had to bow to the victorious managements, led by the Pennsylvania, and to submit to being marshaled in company unions.[59] However, the shopmen's struggle made a tangible contribution to labor in general. It arrested the drive of the wage deflation movement. Its contribution to the other groups of railway employees was the virtual elimination of the Railroad Labor Board as a factor in railway labor policy.

The effects on unionism of the depression and the open shop drive of 1920–23 can be best elucidated by a comparison with 1904–09, likewise a period in which business recession combined with an open shop movement. The comparison will furnish data relative to union stability in the later period.

Each period opened with a quickly reached peak in union membership. In 1904 the Federation numbered 1,676,000, nearly four and a half times as many as in 1899 when rapid expansion commenced. In 1920 the membership stood at 4,078,000 or twice as high as in 1916, the starting point of rapid growth for this period. On the downward curve, which is here of main interest, the losses from the 1904 peak to the lowest point, which was in 1906, came to 226,000 or 13½ per cent. Then came a slight pick-up in 1907–08, and that was followed in 1909 by a return to the low 1906 level. After 1909 the normal ascent was resumed. That will have to be compared with a falling off after 1920 of 84,000 in one year, of 883,000 in two years, and of 1,052,000 in three years, making a total decrease by 1923 of 24 per cent. Assuredly upon this showing one would be justified to conclude that instead of gaining in stability, the Federation had become in the preceding 15 years more vulnerable to attack by employers and less able to hold its members in adversity.

Yet to make the figures truly comparable, it will be necessary to examine not only what caused in each case the contraction of membership, but also what had caused the preceding expansion.

First of all, in the earlier period the loss of 13½ per cent oc-

[57] *Ibid.*, October 7, 1922.
[58] *Ibid.*, October 21, 1922.
[59] *Ibid.*, February 10, 1923.

curred before the real depression had set in. While the latter part of 1904 showed some depression, business soon picked up and reached a booming condition before it finally collapsed in the fall of 1907. The loss, therefore, though twice as small as in the later period, was caused by the open shop movement of that time unaided by depression. To be sure, from 1907 to 1909 both factors acted together, and the combined effect was no worse than when the first acted alone. Yet it is significant that the contraction in labor organization reached its limit while prices were still going up. Nothing like that happened in the later period: while prices were going up, employers considered the open shop campaign hopeless and did not seriously attempt it.

The 24 per cent decline from the 1920 peak was also due to the *abnormal* and forced nature of the preceding expansion. If we examine the figures of growth from 1917 to 1919, we shall find that the war policy of the government was by far the greatest factor, for it was the government that opened the doors to unionism in industries heretofore closed—not that unionism *forced* the doors open by its own strength. The government, by virtue of its war-time power and prestige, gave the unions the all-important right to organize against a temporarily confounded and half rebellious employing group. So, adding the gains of the unions which especially came under governmental benevolence, in packing, shipbuilding, water and rail transportation, we find practically the entire gain in the Federation membership from 1917 to 1919 accounted for. The same is largely true of the losses since 1920. These unions, which prospered under the government's war-time protection, lost between 1920 and 1923 a total of 650,000 members, or 65 per cent of the total shrinkage in the Federation's membership since 1920. A further shrinkage in membership during 1923, a shrinkage despite returning prosperity, was in the railway shopmen's unions after the defeat of 1922.

On the contrary, the unions which best maintained their membership strength were those which had received no or only incidental aid from the government during the war. The building trades, the printing trade, the miners, and the clothing group more than held their own. The greatest success was recorded by the miners, who in 1922, as we have seen, not only defeated an ill-disguised open shop movement by the bituminous coal operators, but were even more successful against the anthracite operators.

CHAPTER XXXIX

INDEPENDENT POLITICAL ACTION

The Nonpartisan League formed in 1915 in North Dakota by A. P. Townley, a former member of the Socialist Party, was the real starting point of all the variegated movements of independent political action which culminated in the La Follette Presidential campaign in 1924.

The Nonpartisan League, already mentioned in connection with a tentative trade agreement with the Agricultural Workers' Union of the I. W. W. in 1917,[1] made the outstanding effort of organized farmers to develop a basis of co-operation with labor. The first message of Governor Frazier to the legislature on January 6, 1917, urged the enactment of minimum wage laws for women and children employed in factories and department stores.[2] When the campaign to suppress the I. W. W. both by government and private effort was at its height, Frazier issued a proclamation insisting that the time hallowed constitutional guarantees must be observed in cases affecting the organizers and members of this virtually outlawed organization.[3]

During the national coal strike of 1919 the friendship of the Nonpartisan League for labor was unmistakably shown. Governor Frazier, in agreement with the District president of the United Mine Workers of America, presented a basis of settlement to the operators in North Dakota. Accepting the operators' refusal as proof of their willingness to sacrifice public interest, he seized the coal mines under an emergency decree.[4] Throughout the strike the North Dakota mines were operated by the State under conditions satisfactory to the union.[5]

In Minnesota the farmer-labor co-operation under the Nonpartisan League attained even wider scope. At the convention of the Minnesota State Federation of Labor in 1917 two fraternal

[1] See Chapter XXXI.
[2] *Nonpartisan Leader*, January 11, 1917, p. 5.
[3] Fargo *Daily Courier-News*, August 4, 1917.
[4] *Nonpartisan Leader*, November 24, 1919, pp. 3–4.
[5] *Ibid.*, February 23, 1920, p. 6.

delegates of the Nonpartisan League were seated.[6] The friendship exhibited by the organized farmers bore fruit the following year. In March 1918 the League, operating here as in North Dakota through the Republican Party primary, nominated labor men for railroad and labor commissioners, and promised to support labor candidates for the State legislature in the city districts. For its gubernatorial candidate it selected Charles A. Lindbergh, father of the famous aëronaut of 1927.[7]

The World War and the newspapers had succeeded in building up the fiction that the League was pro-German. Added to this was the activity of the Public Safety Commission, a body ostensibly organized to ferret out pro-Germanism and disloyalty, but actually harassing anyone who did not conform to its social and economic views. In many counties the League meetings were suppressed and League organizers and speakers were run out of town, or tarred and feathered. Although greatly hampered by the war hysteria and by the stigma of an anti-war organization, the League polled 151,000 votes out of a total of 344,000 for governor and nominated 61 of its 84 candidates for the lower house and 30 out of 43 for the senate. Organized labor in the twin cities placed 10 on the ticket for the assembly and three for the senate.[8]

Labor had elected a Mayor in Minneapolis in 1916 and 1918 and in St. Paul its candidate in 1918 was defeated by a narrow margin. The labor leaders in the twin cities understood politics and took the lead in causing the state-wide movement to break through the Republican chrysalis.[9] Following the defeat of Lindbergh, labor and the farmers agreed on an independent candidate. The nomination, as well as the campaign, was under a joint committee of the Nonpartisan League and the labor political conference organized at the behest of the State Federation of Labor.[10] In the election the farmer-labor ticket displaced the Democrats from second place, but the Republican candidate won by 41,000.[11] The combined farmer-labor forces elected 15 state senators and 36 in the lower house.[12]

[6] *Ibid.*, July 19, 1917, p. 4.
[7] *St. Paul Pioneer Press*, March 22, 1918.
[8] *Nonpartisan Leader*, May 6, 20, July 8, September 16, 1918.
[9] Minnesota State Federation of Labor, *Proceedings of the Thirty-sixth Convention*, 1918, pp. 66–67.
[10] *Ibid.*, 1919, p. 19; *St. Paul Pioneer Press*, August 21, 1918.
[11] *St. Paul Pioneer Press*, November 7, 1918.
[12] *National Leader*, November 25, 1918, p. 4.

As a result the President of the State Federation of Labor, in his report to the thirty-seventh convention, advised the continuance of political activity.[13] The delegates to the convention of the State Federation of Labor called for July 20, 1919, meeting a day earlier as a political conference, organized the Working People's Nonpartisan Political League.[14] The members of the governing committee of the League were forbidden to belong to any other political party. The revenue of the League was to come from a per capita tax of 25 cents a year from each supporting union.[15] The organization was pledged to co-operate with the National Nonpartisan League.

The eagerness of the Minnesota State Federation of Labor to set up a political mechanism was a seasoned manifestation of a tendency which in the latter part of 1918 had become widespread among central labor bodies, notably New York and Chicago. Gompers, whose memory went back to the National Labor Reform Party of 1872 and the United Labor Party of New York of 1886 with their disintegrating effects on the labor movement, sought to stem the tide in a speech before a group of labor leaders of New York City.[16]

But the tide was too strong. The Chicago Federation of Labor, headed by John Fitzpatrick and Edward Nockles, organized the Labor Party of Cook County on January 4, 1919, which was indorsed by the Illinois State Federation of Labor.[17] Fitzpatrick, the mayoralty candidate in April, polled over 50,000 votes. Later in the year the Labor Party of Illinois was launched at a conference of delegates of local unions.

In August 1919, the Chicago and the Illinois State Federations of Labor and the two Labor parties of their creation convoked a conference to start a national labor party. They invited fraternal delegates from the Nonpartisan League and the Committee of 48, a group of middle class liberals.[18]

The Indiana State Federation of Labor voted by an overwhelming majority to submit the question of a labor party to a referen-

[13] Minnesota State Federation of Labor, *Proceedings of the Thirty-seventh Convention*, 1919, p. 20.

[14] *Ibid.*, p. 80.

[15] *St. Paul Pioneer Press*, July 21, 1919.

[16] Gompers, Samuel, *Should a Labor Party Be Formed?* pamphlet, American Federation of Labor, 1918.

[17] *New Majority*, February 22, 1919, p. 16.

[18] *Ibid.*, August 23, 1919, pp. 1–2.

dum vote of all the State locals.[19] As a result 400 delegates from local unions organized the Indiana Labor Party, disregarding the admonition of Daniel Tobin, Treasurer of the American Federation of Labor.[20] State labor parties were organized in Michigan,[21] New York,[22] Utah, and Pennsylvania. In Illinois, over the opposition of its President, Frank Farrington, District 12 of the United Mine Workers of America indorsed independent political action.[23]

A national conference of over 1000 had been held in Chicago on November 22, 1919, and produced the American Labor Party.[24] A national nominating convention met in Chicago on July 11, 1920. The Committee of 48 convened at Chicago at the same time.[25] There was hope of amalgamating the two movements.

There were 500 delegates in the labor convention, two-thirds from Illinois and Indiana.[26] Max Hayes, the national chairman, an old trade union socialist, and John Fitzpatrick and John H. Walker, the latter President of the Illinois Federation of Labor, were the leaders. A committee was sent to confer with the Committee of 48 convention to discover a basis for common action.[27] That basis appeared to have been found and the convention of the Committee of 48 marched in as a body to join the labor convention. But the platform offended many of the liberals by its labor "class consciousness," causing them to withdraw. Still one of their number, Parley Christensen of Utah, was given the Presidential nomination with Max Hayes as his running mate.[28] The Party was renamed the Farmer-Labor Party to gain farmer votes. As a matter of fact there were hardly any representatives of farmer organizations in the movement. A national campaign was made, and the ticket polled about 300,000 votes. In Washington and South Dakota, the ticket ran second, beating the Democrats by a considerable margin.[29]

[19] *Ibid.*, September 13, 1919, p. 2.
[20] *Ibid.*, February 21, 1920, pp. 1–2.
[21] *Ibid.*, February 7, 1920, p. 5.
[22] *Ibid.*, March 6, 1920, pp. 1–2.
[23] *Ibid.*, April 3, 1920, p. 1; May 15, 1920, p. 6.
[24] *Ibid.*, November 29, 1919.
[25] *Chicago Tribune*, July 11, 1920.
[26] Hard, William, "Christensen and Back of Him," *New Republic*, August 4, 1920, pp. 273–274.
[27] *Chicago Tribune*, July 12, 1920.
[28] *Ibid.*, July 16, 1920.
[29] *New Majority*, November 22, 1920, p. 3.

The Farmer-Labor Party was continued. The trend towards independent political action continued strong in the labor movement, especially in the city centrals and state federations. The convention of the United Mine Workers of America indorsed the idea in 1921.[30]

The Farmer-Labor Party held a convention in 1922, which instructed its officers to take steps to unite all labor political groups.[31] Accordingly invitations went out to labor, farm, and progressive political groups to hold a joint conference in Chicago on July 3, 1923.[32] Simultaneously the Farmer-Labor Party was to hold its own convention. The Socialist Party refused the invitation.[33] The leading spirit in this wide mobilization of radical and progressive forces was John Fitzpatrick.[34] Fitzpatrick's plan contemplated the seating only of delegates from Party organizations and local unions affiliated with the Party at the Farmer-Labor Party convention. The convention was then to recess and go into conference with the other groups. Fitzpatrick, however, had put too much trust in his old friend and co-worker in the steel strike of 1919, William Z. Foster, now with the communist Workers' Party and apparently against his better judgment forced to lead in the attempt to "capture" the progressive labor movement at any cost. They went about capturing the Farmer-Labor Party convention of 1923 in a thorough workman-like fashion. Communist singing societies, sports clubs, local trade unions, and the hundred and one other disguised communist organizations were pressed into service and ordered to send delegates to the Farmer-Labor Party convention. The genuine Farmer-Labor Party delegates found themselves outvoted by the communist controlled delegates and the credentials committee was ordered to seat all indiscriminately. The communists now assumed open and full charge of the convention. The Fitzpatrick group, finding itself thus unexpectedly guests in its own house, repudiated the convention and its work. Undaunted, the communists launched the Federated Farmer-Labor Party, the first of the many national "united front" paper organizations of their promotion.[35] This communist "victory" sent Fitzpatrick and the Chicago Federation of Labor back to the Gompers fold.[36] It also destroyed the hereto-

[30] *Ibid.*, October 15, 1921, p. 1.
[31] *Ibid.*, June 7, 1922, p. 1.
[32] *Ibid.*, March 17, 1923, p. 1.
[33] *Ibid.*, June 30, 1923, p. 1.
[34] *Ibid.*, June 30, 1923, p. 2.
[35] *Ibid.*, July 14, 1923, pp. 1–2.
[36] *Ibid.*, May 24, 1924, pp. 1–2.

fore friendly tolerance of the progressive Chicago Federation of Labor for any group bearing the communist label.

There was left, however, one independent political labor group as yet without experience with communist tactics, and therefore holding out promise of another "united front" maneuver. The Minnesota farmer-labor political movement had stood aside from the movement headed by Fitzpatrick and the Chicago Federation of Labor.

After the election of 1918 the Working People's Nonpartisan Political League of Minnesota, the creation of the State Federation of Labor and the farmers' Nonpartisan League, still maintaining separate existence, agreed on candidates for State offices to be run in the Republican Party primaries. Henrik Shipstead was their candidate for Governor.[37] He was defeated by less than 10,000.[38]

The farmer-labor alliance now decided to run Shipstead as an independent candidate for Governor as well as two candidates for other State offices.[39] Despite an energetic campaign, the Republican ticket won.

In 1922 the Nonpartisan League "dropped its pilot," Townley, who wanted it to continue as a faction in the Republican Party. It agreed with the Working People's Political League that instead of scattering their resources and energy in two separate campaigns, the two should support a third party. Shipstead was named for United States Senator and Magnus Johnson for Governor.[40]

The election was the first major victory of a straight third party ticket since the days of Populism. Shipstead became United States senator and the Farmer-Labor Party secured the control of the State senate and greatly increased its representation in the lower house.[41] It was followed by the election of Magnus Johnson as the second United States senator in 1923.

In 1923 the farmer and labor cohorts decided to amalgamate on the political front. Representation to the Farmer-Labor Party conventions from the counties was to be based on the Party's vote in the preceding election and delegates were to be elected by county caucuses of members of Farmer-Labor clubs within the county.[42] The Nonpartisan League, reflecting the farmers'

[37] *St. Paul Pioneer Press*, March 25, 26, 27, 1920.
[38] *Ibid.*, June 24, 1920.
[39] *Ibid.*, July 19, 1920.
[40] *Ibid.*, April 2, 1922.
[41] *Ibid.*, November 9, 1922.
[42] *Ibid.*, March 3, 1924.

fear of being dominated by the more cohesive labor organizations, approved this plan only by 84 to 76. A Farmer-Labor Federation, to which both leagues belonged as entities, was set up to serve as the organizational and educational center of the Farmer-Labor Party to bring greater unity and cohesion.[43] To signalize its political maturity the Farmer-Labor Party had a gubernatorial primary contest in 1924. Floyd Olson won the nomination, but lost to the Republican candidate by about 35,000.[44]

It was to this promising farmer-labor political movement that the communists now planned to attach themselves and to direct it into an orthodox Marxian channel. The Minnesota leadership gave them an opening by including them in an invitation to a national convention on June 17, 1924, at St. Paul to start a national farmer-labor party.[45] The moving spirit was William Mahoney, the leader of the labor division of the Farmer-Labor Party.

The communists tried again the stratagem that succeeded so well the year before at Chicago. They packed the convention with delegates from every conceivable organization. Mahoney found himself in the same predicament as Fitzpatrick. He was defeated at every turn in his own convention. The communist victory was again an empty one. The genuine Farmer-Labor delegates withdrew and left the field to the communists. The latter nominated a national ticket which, however, was later superseded by the candidacy of William Z. Foster and Benjamin Gitlow, of the Workers' Party, an admission of the fruitlessness of the smart maneuvers at Chicago and St. Paul.[46]

The international trade unions kept aloof from these independent political movements centering in the Chicago Federation of Labor and the Minnesota farmer and labor leagues. The more politically conscious international trade unions formed their own political center in the Conference for Progressive Political Action, in February 1922.[47] The railway unions were in the forefront since their wages and working conditions now depended on governmental decisions. In this the unions within the Railway Employes' Department of the American Federation of Labor were at one

[43] *Ibid.*, March 14, 1924.
[44] *Ibid.*, November 7, 1924.
[45] *Ibid.*, March 15, June 17, 1924.
[46] *Ibid.*, June 20, 1924; Minnesota State Federation of Labor, *Proceedings of the Forty-second Convention*, 1924, p. 35.
[47] *Locomotive Engineers' Journal*, March 1922, pp. 168–169.

with the train service brotherhoods. Other international unions of socialist antecedents, like the garment unions, joined primarily for idealistic reasons. To this was added the effect of the anti-labor decisions by the United States Supreme Court in 1920, 1921, and 1922.[48] The injunction in the coal miners' strike of 1919 and the Daugherty injunction in 1922 brought the issue of the legal rights of unions home to large numbers of organized wage earners. Nevertheless, the resulting political movement was not a manifestation of an awakened class consciousness, but an effort to protect "legitimate" trade union activity. At the same time these trade unionists, to say nothing of the socialists among them, felt the need of a new political center, a more active one than the Executive Council of the Federation and one more ready to experiment with new methods. As yet, however, the idea of an independent labor party, while present in the minds of a number of the leaders of this new venture, was not in the realm of practical action.

In order to discuss the political situation and devise a program of action, a conference of progressives and labor people regardless of party affiliation was called. They were executives or official delegates from 50 international unions, including the heads of the railway labor organizations, representatives from the Church League for Industrial Democracy, the National Catholic Welfare Council, the Methodist Federation of Social Service, the Socialist Party, the Farmers' Union, the Nonpartisan League, and the Single Taxers.[49] The socialists favored an immediate commitment to independent political action. The majority view, however, was to conduct a broad experiment in the forthcoming Congressional election. The method of procedure was accordingly left perfectly flexible, to be determined by local "Conferences of Progressive Political Action," composed of farm and labor organizations, co-operative societies, liberal political organizations, and sympathizing groups in each congressional district. Wherever the Socialist or Farmer-Labor Party candidates had a chance for victory, the conferences were to throw their support to them. Elsewhere the conferences were to follow the early tactics of the Non-partisan League, that is to endeavor to nominate reliable candidates on the ticket of the stronger old party.[50] A national committee of 15

[48] See Chapter XVI.
[49] *Locomotive Engineers' Journal*, March 1922, pp. 168–169.
[50] *Ibid.*, p. 169.

was chosen to co-ordinate activities. Each group present at the Conference was recognized on this body. It contained the leaders of the railroad brotherhoods, William Green of the United Mine Workers, Morris Hillquit of the Socialist Party, Benjamin Marsh of the National Farmers' Council, and Basil M. Manly of the People's Legislative Service.[51]

The next meeting of the Conference was held in December 1922 after the election. Its chief business was to pass on the result of the "experiment." The labor party plan had many adherents. The issue was hotly debated, but the Conference opposed an immediate organization of a labor party by the close vote of 64 to 52.[52] A legislative program was drawn up as follows: repeal of the Esch-Cummins law; direct election of the President and Vice-President; indorsement of the Norris-Sinclair producers' financing bill designed to increase the value of farm products; increased taxation of large incomes and inheritances and the payment of a soldiers' bonus by an excess profits tax; women's protective labor legislation and Federal regulation of child labor; amnesty for political prisoners; safeguarding of civil liberties in the United States; and government regulation of the coal industry. Financial imperialism and the labor injunction were denounced, and the power of the courts to declare laws unconstitutional was held a usurpation.[53]

The Conference continued open minded on method. The socialists were pressing for an independent labor party, dreaming of becoming to that party what the Independent Labour Party of England had been to the British Labour Party. But the trade unionists were waiting for the results of the nominating conventions of the old parties. A meeting of the Conference in February 1924 adjourned without taking action.[54] In the spring the independent candidacy of Senator Robert M. La Follette for President became an important factor. The renomination of Coolidge was a foregone conclusion. When the Democrats nominated the conservative John W. Davis, the support of a third ticket by the Conference became inevitable and the indorsement of La Follette only slightly less so.

La Follette invited the progressive groups to follow his leadership. He quickly shook off the communists who, having captured

[51] *Ibid.*, p. 188.
[52] *New Majority*, December 16, 1922, p. 1.
[53] *Ibid.*, p. 2.
[54] *Locomotive Engineers' Journal*, March 1924, p. 189.

the farmer-labor convention in St. Paul, offered him the doubtful gift of their indorsement.[55]

On July 4 the Progressive convention met at Cleveland, and nominated La Follette, who sent his son with the platform on which he meant to make his run. For Vice-President, again at La Follette's request, the Democratic Senator Burton K. Wheeler of Montana was nominated. Also in compliance with La Follette's wishes the La Follette-Wheeler ticket was not to be a third party ticket but an independent one.[56]

The La Follette candidacy was indorsed by the convention of the Socialist Party.[57] The Executive Council of the American Federation of Labor faced a grave decision. Traditionally unwilling to lend its strength to the building up of third parties and independent candidacies, it yet had no choice in this campaign where both parties had nominated candidates unfriendly to labor. Gompers threw his influence on the side of the La Follette candidacy. On August 2, 1923, the Executive Council denounced both parties: "Both the Republican and Democratic national party conventions flaunted the desires of labor, the Republican convention in an arrogant manner; the Democratic convention by that evasiveness which is the customary mark of insincerity." After announcing that La Follette and Wheeler were indorsed, Gompers reconciled it with his past political policy by stressing that the Federation had neither committed itself to nor identified itself with the doctrines of any other group supporting the La Follette candidacy—meaning the socialists. Nor did it signify that the Federation had committed itself to a third party. The alliance with La Follette and his other supporters was only for the present election.[58]

The Federation's willingness to give a loose construction to its non-partisan political policy in the case of the La Follette candidacy was largely caused by the *impasse* it had reached in regard to the legal status of unions. The Clayton Act, proclaimed at its passage by Gompers as "Labor's Magna Charta" turned in the hands of the United States Supreme Court into the empty gesture that it really was. In the Duplex case [59] decided in 1921 the Court

[55] *Minnesota Leader*, June 11, 1924.
[56] *Cleveland Plain Dealer*, July 6, 1924.
[57] *Ibid.*, July 8, 1924.
[58] *American Federationist*, September 1924, pp. 705–711.
[59] See Chapter XVI.

held that the immunities granted by that Act to labor applied only to employees directly involved in the dispute, not to their fellow union members in other employments and localities. In the same year, in *American Steel Foundries* v. *Tri-City Trades Council*, the Supreme Court held that all forms of picketing were unlawful, but in the same decision mitigated the severity of this absolute condemnation by allowing former employees on strike the right to have an adequate number of representatives on the ground peacefully to persuade non-striking employees to join them.[60] In July 1921, in *Truax* v. *Corrigan*, the Court by a vote of five to four declared that the Arizona Supreme Court had erred in dismissing a petition for an injunction against mass picketing under a State statute which followed the wording of Section 20 of the Clayton Act, on the ground that to withdraw the right to resort to equity in this class of cases and to continue that right in other cases amounted to a denial of equal protection of the law.[61]

In 1922 the United States Supreme Court, in the Coronado case decision, laid down a rule analogous to the Taff Vale decision in England that unincorporated labor unions may be sued as entities.[62] The Coronado Coal Company located in Arkansas ended its contractual relations with the United Mine Workers in 1914, and taking care to incorporate as a West Virginia holding company, opened its mines with strikebreakers. The enraged miners killed a number of the strikebreakers and inflicted heavy damage on the property. The Company passed into receivership and suit was brought against the International organization and District 21 of the United Mine Workers of America and certain direct participants in the riot for damages of $2,200,000 under the Sherman Act. The union entered a demurrer on the ground that no case existed under the Sherman Act. The district court sustained the union's position only to be overruled by the circuit court. In 1918 a jury awarded the Company damages and costs totaling $745,000. The verdict was reversed by the United States Supreme Court in the above mentioned decision in 1922 on the ground that upon the evidence presented, no case was established

[60] 251 U. S. 184, 42 Sup. Ct. 72; Witte, *op. cit.*, pp. 35–36.

[61] *Truax* v. *Corrigan*, 257 U. S. 312, 42 Sup. Ct. 124; Frankfurter and Greene, *op. cit.*, pp. 152–154, 177–180.

[62] *United Mine Workers* v. *Coronado Coal Company*, 259 U. S. 344, 42 Sup. Ct. 570.

under the Sherman Act, as the quantity of coal shipped by the Company out of State was insufficient to affect interstate commerce, and also because the evidence failed to connect the International union with the riot in Arkansas although the responsibility of District 21 was clear. However, the Court proceeded to express the view, gratuitously in this situation, that unincorporated labor unions did not escape liability as entities.[63]

The Federation held the Coronado decision and the decisions of the year previous so serious a menace that it invited Senator La Follette to address its convention of 1922 on the subject of court usurpation.[64]

The Coronado decision of 1922 brought home to American unions the danger of having their funds impounded as a result of damage suits by employers. In addition, under the decision in the Hitchman case handed down by the United States Supreme Court in 1917, employers were enabled through an oral or written contract with their individual employees stipulating that they would not join a union during their employment,[65] to secure judicial protection against union efforts to organize, however peaceful.

La Follette received the unqualified support of the railway organizations, both within and outside the Federation, and the socialists. The other unions, on the whole, supported him too. In the Congressional districts the Federation's old policy of supporting old party candidates was continued not only by the Federation but for the most part also by the Conference for Progressive Political Action. The New York Trades and Labor Assembly indorsed La Follette, but the Executive Council, closely allied

[63] *Coronado Coal Company* v. *United Mine Workers*, 258 Fed. 829 (1919); *United Mine Workers* v. *Coronado Coal Company*, 259 U. S. 344, 42 Sup. Ct. 570.

The case was remanded for trial before the district court. The plaintiff presented additional evidence to prove substantial interference with interstate commerce, but the Court directed a verdict for the defendants. The United States Supreme Court accepted the contention of the Company regarding interstate commerce and again remanded the case for trial. It was settled out of court after a jury's failure to agree for $127,500, each side paying its own costs. (Witte, *op. cit.*, p. 137.)

[64] American Federation of Labor, *Proceedings*, 1922, pp. 233–243.

[65] *Hitchman Coal and Coke Company* v. *Mitchell*, 245 U. S. 232. The Hitchman case decision is usually linked with the decisions in the Adair (*Adair* v. *United States*, 208 U. S. 161, 1908) and Coppage (236 U. S. 1, 1915) cases. (Powell, T. R., "Collective Bargaining Before the Supreme Court," in Commons, John R., *Trade Unionism and Labor Problems*, pp. 635 ff.)

with Tammany Hall, arbitrarily rescinded the indorsement on the eve of the election.[66]

The results of the election, in which only slightly less than five million votes were cast for La Follette, were acclaimed by the socialists and the advocates of a third party as a most promising beginning. It was largely a city vote; for instance, La Follette carried Cleveland, Ohio. Only in his own State, which he carried, and in North Dakota did he draw heavily from the farmers. To the leaders of the railway unions and of the American Federation of Labor, who measured the outcome from the standpoint of its immediate results regarding employment conditions on the railways and the labor injunction, the experiment was a disappointment. Gompers found solace in the thought that the five million votes cast for the independent ticket would teach the old parties a salutary lesson.[67] To the railway unions, desirous above all for a return to free collective bargaining unhampered by the Railroad Labor Board, the path that beckoned now was that of an understanding with the railway managements, equally opposed to the Board, to effect its removal by pooled pressure on Congress and the Executive. This was consummated in the Railway Labor Act of 1926.[68]

The Conference for Progressive Political Action held its meeting in February 1925.[69] The unions, including the railroad brotherhoods, were opposed to a third party movement. The Conference was liquidated.[70] The only survivor of the third party movements after 1924 was the Minnesota Farmer-Labor Party. Amongst the causes of its success were its reliable rural support, the skill of the labor politicians, and the virtual disappearance of the State Democratic Party. It elected Floyd Olson as Governor in 1930 and again in 1932.

[66] *New York Times*, October 31, November 1, 1924.
[67] *Ibid.*, November 6, 1924.
[68] *United States Statutes at Large*, 69th Congress, Part II, pp. 577–587.
[69] *New York Times*, December 13, 1924.
[70] *Ibid.*, February 23, 1925.

CHAPTER XL

"BORING FROM WITHIN"

As a political movement the significance of communism was negligible. On the American political scene where on election days the whole nation passes in parade, communism has barely been able to command a corporal's guard. However, in the more limited labor arena communism as a builder and destroyer of organizations has not been devoid of importance, and in trades with a socialistic tradition it has even played a crucial rôle. In the labor movement at large, communism had its inning during the early twenties when it took pains not to emphasize its true colors, but by "boring from within" exploited union issues such as amalgamation. In the socialistic garment trades communism operated without a disguise and reached its height after its campaign in the general labor movement had failed. And through both phases, communism has been trying to organize and bring under its molding influence "virgin" labor groups to whose spontaneous strikes it supplied leadership.

The "boring from within," centered around the personality of William Z. Foster. His Trade Union Educational League was in many respects a revival of his earlier attempts to build a revolutionary opposition within the Federation. Foster, a railway carman by trade, was a left wing socialist in Seattle and joined the I. W. W. in 1909. In 1911 he traveled in Europe as special correspondent for the I. W. W. press,[1] and represented the I. W. W. at the Budapest conference of the International Labor Secretariat. He demanded that James Duncan, First Vice-President of the American Federation of Labor, be denied a seat at the conference on the ground that the close connection of the Federation's leaders with the National Civic Federation disqualified it from representing the American working class. The French delegates supported Foster but Duncan was seated.[2]

While in Europe Foster had a change of heart. Léon Jouhaux, General Secretary of the then syndicalist French Confédération

[1] *Solidarity*, March 15, 1911. [2] *Ibid.*, November 4, 1911.

Générale du Travail, convinced him that dual labor organizations were a mistake. Instead, the radicals should stay in the old unions. Accordingly, upon his return, Foster would have the I. W. W. transform itself into a propaganda league to guide "boring from within" the conservative unions for the triumph of the radical cause.[3] Forced to find a new medium for his propaganda, Foster turned to the *Agitator*, an anarchist sheet, in the Home Colony in the State of Washington.[4]

A group in British Columbia, mainly of I. W. W.'s, embraced Foster's new ideas and formed a local syndicalist league.[5] Foster was an unsuccessful candidate in the election of 1912 for editor of the *Industrial Worker*, the Western organ of the I. W. W.[6] Other local syndicalist leagues followed and in August 1912, the Syndicalist League of North America came into existence.[7] At this time Foster was for decentralization and local autonomy.[8] His League lasted for about two years but failed to make an impression.[9]

In 1916 Foster came out with an International Trade Union Educational League, which proved a still birth.[10] Foster now abandoned syndicalism for "pure and simple" trade unionism. In the vast organizing campaign of war time he emerged as one of the leading organizers. He was made secretary of the Stockyards Labor Council,[11] and later secretary of the steel workers' organization committee, a job which gave him nation-wide prominence.[12] He entered into the spirit of his new rôle so well that he was one of the signers of a letter to Judge Gary warning him that refusal to deal with the regular unions would insure the triumph of the "reds." After the steel strike, Foster returned to his pre-war radicalism. He again upbraided the radicals who despaired of capturing the Federation and put their hope in dualism.[13] In 1920 his defunct leagues of 1912 and 1916 were revived as the Trade Union Educational League.[14]

[3] *Ibid.*, November 4, 1911; *Agitator*, February 15, 1912.
[4] *Agitator*, June 1, 1912.
[5] *Ibid.*, May 15, 1912.
[6] *Ibid.*, September 1, 1912.
[7] *Ibid.*, September 15, 1912.
[8] *Ibid.*; see Chapter XXIII.
[9] United States Senate Committee, *Investigation of the Steel Strike*, p. 422.
[10] *Labor Herald*, September 1922, p. 6.
[11] *Butcher Workman*, January 1918.
[12] See Chapter XXXV.
[13] Foster, *The Steel Strike*, pp. 255–265.
[14] *Labor Herald*, September 1922, p. 6.

However, the League did not get into its stride until the following year. It found an effective vehicle in the issue of amalgamation. The main impulse behind the postwar militancy, as already pointed out, was a reaching out for a wider labor solidarity. In this regard the Seattle and Winnipeg general strikes, the steel strike, the "insurgent" movements, and even the shopmen's strike were of one piece and were also spontaneous manifestations. They were, to be sure, open to criticism in retrospect on the ground of the imperfect co-ordination of the several co-operating groups. Foster who went through the biggest one of them, the steel strike, was only too well aware of the weaknesses of the official arrangements for co-operation. It was upon these that he seized in order to secure a spring board for his far more comprehensive plan of changing the program and leadership of the American labor movement. In doing so he converted what might have become a constructive reform movement into a tool of revolutionary conspirators certain to be demolished once the intent of the conspiracy was exposed.

Amalgamation was a popular issue. Progressive unionists felt that it was a necessary defense against the open shop drive. On March 19, 1922, the Chicago Federation of Labor came out for industrial unionism, and requested the American Federation of Labor to call conferences of international unions for that purpose.[15] Seven state federations of labor, innumerable city federations, and a few international unions, including the molders, indorsed amalgamation.

Progressivism within the Federation was running high in 1921. The railway block at the convention of 1920 had secured over Gompers' protest an indorsement of government ownership of railroads by a vote of 29,159 to 8349 with 1057 not voting.[16] In the convention of 1921 Gompers' re-election as President was seriously threatened for the first time since 1894 by the "progressive" candidacy of John L. Lewis. The situation was enlivened by the bitter press campaign against Gompers of the Hearst newspapers. Gompers' chances were hardly injured by this attack. On the contrary it gave him the opportunity to attack his opponents within the Federation as confederates of Hearst.[17]

[15] *New Majority*, March 25, 1922, p. 1; April 8, 1922, pp. 11–12.
[16] American Federation of Labor, *Proceedings*, 1920, p. 401.
[17] *Ibid.*, 1921, p. 401.

Also he was in a position to contrast his recent public attack on a New York injunction judge [18] with Lewis' verbal submission to the injunction in 1919. This by way of meeting the argument of loss of vigor due to advancing age.

Gompers won by a vote of 25,022 to 12,324 with 947 not voting.[19] In the main the progressive needle trades delegates voted for Gompers, but socialists like Max Hayes supported Lewis, not because he was more progressive but as a means to be rid of the more dangerous opponent to socialism and progressivism.

Gompers and the Executive Council became alarmed over the "boring from within" movement. They had no objection to voluntary amalgamations, but Foster's movement which was silent on the method of amalgamation clearly aimed to promote rebellion against the men in office and against the Federation's "due process of law." Taking their cue from Gompers, the official organs of most of the international unions opened up on the amalgamation movement. The Federation itself bared its teeth. The Bookkeepers', Stenographers' and Accountants' Union No. 12646, of New York City, had its charter revoked after control had been captured by adherents of the Trade Union Educational League.[20] The official reason was a violation of the provisions of its charter in admitting persons not qualified for membership.[21] After the Chicago Federation of Labor had indorsed amalgamation Gompers came personally to Chicago to denounce the activity of Foster and his League.[22] Gompers employed no threats against the influential Chicago Federation of Labor, and the following year he had the satisfaction of seeing it returning penitent to the fold, chastened by the experience with the communists.[23]

Foster himself admitted that he had weakened the spontaneous movement for amalgamation by tying it with his six-point program which included affiliation with the Red Trade Union International. He voiced his contempt of the progressives in describing the convention of the Railway Employes' Department as follows: "the industrialists shied away from it [from the amalgamation resolution] badly and made a poor fight. It is not too much to say that

[18] *Ibid.*, p. 450.
[19] *Ibid.*, p. 456.
[20] *New York Call*, July 16, 1922.
[21] *American Federationist*, October 1922, pp. 777–778.
[22] *Labor Herald*, May 1922, p. 14.
[23] See Chapter XXXIX.

a large portion of them were influenced by the intimidation and red-flag waving of the standpatters." [24]

The attack upon the Federated Press, a radical news gathering agency, begun in the convention of the American Federation of Labor in 1922, was a part of this conservative counter-offensive. The convention ordered the Executive Council to investigate the Federated Press. Matthew Woll, Chester Wright, and George W. Perkins of the cigarmakers were selected as the committee. At the next convention the committee, while admitting that editors of regular Federation publications were on the Board of Directors of the Federated Press, took strong exception to the policy of the Press of giving too much prominence to anti-Federation labor news. As a test case and a warning to others Matthew Woll demanded that William F. Dunne of the *Butte Bulletin*, a communist and a pillar in the Federated Press, be ousted from the convention. A motion was made by Philip Murray, Vice-President of the United Mine Workers of America,[25] and the rôle of prosecutor-in-chief was taken by William Green, then Secretary-Treasurer of the same organization. Dunne had incurred the hostility of John L. Lewis by reprinting the charges against him by President Farrington of District 12, Illinois.

Dunne was given the right to defend himself. He left little unsaid with regard to the moral and intellectual qualifications of his accusers to sit in judgment upon him and to lead the labor movement. He contrasted them with their mentor, Samuel Gompers, and warned that the American labor movement soon to pass under their leadership, was doomed to destruction.[26] On the roll call vote Dunne was unseated by 27,837 to 108, with 643 not voting.[27] At the conclusion of the convention, Gompers felt it necessary to explain this action.

In 1924 a delegate to the Minneapolis Trade and Labor Assembly, dominated by Farmer-Labor progressives, was expelled under pressure from the Executive Council of the Federation on account of communist affiliations.[28]

The following year the Seattle Trade Council, which five years

[24] Foster, William Z., "Railway Employes' Convention," *Labor Herald*, June 1922, p. 19.

[25] American Federation of Labor, *Proceedings*, 1923, pp. 256–257.

[26] *Ibid.*, p. 259; *William F. Dunne's Speech at the American Federation of Labor Convention, Portland, 1923*, pamphlet.

[27] American Federation of Labor, *Proceedings*, 1923, p. 259.

[28] *Daily Worker*, December 17, 1924.

earlier had sent a delegate to the Red Trade Union International in Moscow and where communist sympathy lingered ever since, effected a purge of its six communists by a vote of 78 to 71 and the expulsion was upheld on appeal by President Green.[29]

With the communist annihilating defeat on the general labor front, the attack was redoubled on that sector of the front on which communism held the "commanding heights." In the garment trades communism held the ideological heights, as it could point to itself as the true carrier of the revolutionary Marxian tradition, but above all it derived a crushing spiritual superiority over the socialists and progressives from its organic connection with the powers that be in the "Worker's Fatherland," the Soviet Union.

Communism scored its most complete and enduring victory in the furrier's union. The International office proved beyond their reach, but the main furriers' "market," the New York market, fell to them in 1925 after a three-year siege. The struggle against the International leadership began as an undifferentiated "left wing" campaign, as a "shop steward" movement, with the promise of lower dues and the six-hour day.[30]

After an unsuccessful strike led by the "right" leaders, the left wing secured a short lived control of the New York Joint Board in 1921.[31] Out of office again in 1922 the left wing merged with the Needle Trades' Section of the Trade Union Educational League.[32] The lefts carried Locals 1 and 15, but the International ousted them from office "for the good of the union" and suspended them from membership.[33]

In 1925 the Trade Union Educational League formed a United Front with the "nonpartisans" and carried the Joint Board.[34] A bitter struggle between the International and the New York Joint Board ensued.[35] The International held as invalid under the constitution the election of business agents in New York.[36] The International also charged New York with indifference engendered

[29] *Ibid.*, March 23, 1925; April 6, 1925.

[30] International Fur Workers' Union, *Report of the Proceedings of the 5th Convention*, 1922, pp. 66–67.

[31] *Fur Worker*, January 1927.

[32] *Ibid.*

[33] International Fur Workers' Union of the United States and Canada, *Report of Proceedings of 6th Convention*, 1924, p. 55.

[34] *Daily Worker*, May 28, 1925; *Fur Worker*, June 1925, pp. 1–2.

[35] *Fur Worker*, April 1925, p. 1; June 1924, p. 1.

[36] *Ibid.*, May 1925, p. 1.

by "politics" to the bitter strike in Montreal, Canada,[37] and pointed to a recent donation of the New York Joint Board of $10,000 to the Joint Action Committee, a communist group expelled from the International Ladies' Garment Workers' Union.[38]

A special convention was called in the hope that it would allay destructive factionalism.[39] In the convention the communists with their non-partisan allies won in the first test vote. But at the showdown the lefts were denied a victory.[40] The new administration pledged itself to peacemaking and internal reforms,[41] and the lefts had but two members on the Executive Board, the International President and the remainder of the Board being "centrists." But the biggest disappointment to the communists was the refusal of the convention to indorse the two communist dailies, the *Daily Worker* and the *Freiheit*. The communists in control of the New York Joint Board thereupon declared war on the new administration.[42]

A strike was brewing in New York. The convention authorized the new International President to take part in the negotiation with the manufacturers.[43] The furriers demanded a 40-hour week and a 32-hour week during the slack season; equal division of work through the year; unemployment insurance with a contribution by the manufacturers of 3 per cent of the payroll; a 25 per cent wage increase; and the right of shop inspection by the union without previous notification of the manufacturer.[44]

A strike was called on February 16, 1926.[45] The strike was supported by the New York labor movement. But soon the warring factions broke the truce. One of the International Vice-Presidents of the "right" publicly charged the New York Joint Board with gross mismanagement of the strike.[46] The communists in control of the Joint Board did not lag behind in factional activity. In the sixth week of the strike, the manufacturers were ready to propose a settlement. The lefts refused to attend a strike leaders' conference called by the International. The International then called a membership meeting on the question [47] and an effort was made to exclude the left wing leaders from the meeting. But the strikers

[37] *Ibid.*, September 1925, p. 3.
[38] *Ibid.*, August 1925, p. 4.
[39] *Ibid.*, August 1925, pp. 1, 3.
[40] *Ibid.*, November 1925, p. 1.
[41] *Ibid.*
[42] *Daily Worker*, November 19, 1925.
[43] *Ibid.*, December 15, 1925.
[44] *Fur Worker*, November 1925, p. 9.
[45] *Daily Worker*, February 17, 1926.
[46] *Ibid.*, April 17, 1926.
[47] International Fur Workers' Union, *Report of Proceedings of 8th Biennial Convention*, 1927, pp. 42–43.

made plain their support of the communist Joint Board. At this point President Green of the American Federation of Labor was invited by the International into the situation, and a mode of procedure in regard to settlement was agreed upon. The harmony was signalized by a mass meeting addressed by Green and speakers from all factions.[48]

Late in May the Strike Committee rejected the manufacturers' terms [49] and on June 11, 1926, the manager of the New York Joint Board announced a settlement.[50] The International now charged that the final terms were not superior to the earlier offers by the manufacturers and therefore the strike had been needlessly prolonged nine weeks by the maneuverings of the communist controlled Joint Board at a cost of $500,000 exclusive of wages.[51]

During the strike, in view of the unmistakable confidence of the strikers in the communist Joint Board, the American Federation of Labor disregarded the barrage of criticism leveled by the anti-communists against the strike leaders. The strike over, the American Federation of Labor, at the instance of the International, decided on an investigation of the strike management over the protest of the Joint Board.[52] The investigating committee was made up of Mathew Woll, Vice-President of the American Federation of Labor; Hugh Frayne, New York representative of the Federation; John Sullivan, President of the New York State Federation of Labor; Joseph Ryan, President of the New York Central Trades and Labor Council; and Edward F. McGrady, legislative representative of the Federation in Washington.[53]

After a prolonged investigation the committee severely censured the local strike leaders. It charged political factionalism in the appointments on strike committees, the use of gangsters against strikers belonging to the "right" faction, and the loosest kind of strike fund management.[54] The total disbursements were $838,203.55. The auditors, however, the committee charged, could only audit $194,754.09, due to obstruction by the Joint

[48] *Ibid.*, p. 43; *Daily Worker*, April 17, 22, 23, 1926.
[49] *Fur Worker*, May 1926, pp. 1, 6.
[50] *Daily Worker*, June 12, 1926.
[51] *Fur Worker*, March 1927, p. 7.
[52] *Daily Worker*, September 2, 1926.
[53] International Fur Workers' Union, *Report of Proceedings of 8th Convention*, 1927, pp. 44–45.
[54] *Ibid.*, pp. 46–47; *Fur Worker*, January 1927, pp. 8–9.

Board.[55] The committee's most serious charge was that when asked to explain the huge expenditures, the Joint Board replied that the money had been paid in bribes to the police.[56]

Following the disclosures the International expelled the communist leadership and dissolved the Joint Board and the communist controlled locals.[57] The American Federation of Labor appointed Edward F. McGrady, aided by Mathew Woll and Hugh Frayne, to assume charge of the reorganization of the furriers' union.[58] These expulsions failed, however, to dislodge the communist leadership. The International and the locals reconstituted by it, have failed to regain the New York market. After a period of independent existence the communist furriers became a part of the Needle Trades Workers' Industrial Union and remained the more important union in the industry.

In 1922 the communist faction began to make itself heard in the International Ladies' Garment Workers' Union. The executive board of local 25, New York, the largest local, demanded that the International affiliate with the Red Trade Union International, with headquarters in Moscow.[59]

Under the régime of President Benjamin Schlesinger no action was taken against the communists. In January 1923, he resigned. Morris Sigman was elected by a special convention in his place.[60] In August 1923 the General Executive Board enunciated the rule that union members belonging to outside organizations meddling with the affairs of the union were subject to expulsion.[61] The first expulsions occurred in Chicago, of members belonging to the Trade Union Educational League.[62] In New York 19 members of Dress Makers' Local 22 were disqualified from holding office for five years as penalty for activity in the League.[63] President Sigman, replying to a protest against the policy of expulsion, denied that it was prompted by hostility to communism as such but directed against the efforts of communists "to force through a campaign of slander, intrigue, calumny and veiled abuse a set of political

[55] International Fur Workers' Union, *Proceedings of 8th Convention*, pp. 46–47.
[56] *Ibid.*, p. 47.
[57] *Fur Worker*, March 1927, p. 3.
[58] *Ibid.*, February 1927.
[59] International Ladies' Garment Workers' Union, *Proceedings*, 1922, pp. 51–52.
[60] *Justice*, February 23, 1923, p. 1.
[61] *Ibid.*, August 24, 1923, p. 1.
[62] *Ibid.*, August 17, 1923, p. 6.
[63] *Ibid.*, October 12, 1923, pp. 1, 9.

principles upon the union." [64] At this point the administration appeared to have the upper hand. Foster came to negotiate, but the International refused to treat him as more than an intruding outsider. Eleven additional members were expelled in Chicago.[65] At the International convention in May 1924 several delegates were unseated by a roll call vote ranging from 185 to 40 to 225 to 47 on the same charge.[66]

In 1924 the agreement with the cloak manufacturers had to be renewed. The union demanded a yearly minimum guarantee of employment, unemployment insurance, the 40-hour week, and a wage increase.[67] The union was willing to arbitrate, but the refusal of the Cloak, Skirt and Suit Manufacturers' Protective Association caused the taking of a strike vote, which went 31,403 to 449 for a strike.[68] Governor Alfred E. Smith, with the consent of both sides, appointed a Commission of five to investigate the industry.[69]

The Commission heard the "inside" manufacturers, the sub-manufacturers, the jobbers and the union, and accepted the union program for the control of the industry. The jobbers were to submit the names of their contractors to the union and were to be held liable for wages for work performed as well as responsible for the maintenance of union conditions. The jobbers' organization, the Merchants Ladies' Garment Association, was to be represented on the Joint Board of Sanitary Control. Association members were to be obligated not to handle garments without the sanitary label. Another recommendation was for an unemployment insurance fund, the employers contributing 2 per cent of the payroll and the employees 1 per cent of their wages. Lastly, the Commission urged a plan for regularizing the employment of sub-manufacturers and contractors by jobbers and opposed the reduction of hours to 40.[70]

The jobbers' association rejected the recommendations of the Governor's Commission and a strike of 50,000 followed. The strike was short, the three associations, the Manufacturers' Protective Association, or the "inside" manufacturers, the Merchant Ladies' Garment Association, or the jobbers, and the American

[64] *Ibid.*, October 26, 1923, p. 6.
[65] *Ibid.*, November 2, 1923, pp. 6–7; November 9, 1923, p. 6.
[66] *Daily Worker*, May 9 and 10, 1924.
[67] *Ibid.*, May 23, 1924.
[68] *Justice*, June 13, 1924, p. 1.
[69] *Ibid.*, June 20, 1924, p. 1.
[70] *Ibid.*, July 4, 1924, pp. 2, 11.

Cloak and Suit Manufacturers' Association, or the contractors, accepting virtually all of the Commission's recommendations and providing for a further investigation and recommendations for reforming the conditions of the industry.[71]

In 1925 the communists captured control of locals 2, 9, and 22, the largest New York locals, despite the action of the General Executive Board exacting from candidates a written assurance that they were not members of leagues or organized factions. An overt act, the invitation to outside communists to speak on May 1 and in effect to attack the International, caused the suspension of the executive boards of these locals.[72] The suspended officers formed a Joint Action Committee to fight back, and outwitting the International office, took with them $90,000 belonging to the locals to be used as sinews of war. Confusion threatened the industry. The suspended local officials warned the employers against dealing with the Joint Board which was in league with the International.[73] Shop chairmen, to the number of 2500, indorsed the Joint Action Committee.[74] At a huge mass meeting the International was fiercely condemned together with the Governor's Commission plan.[75] Finally the Joint Action Committee called a stoppage on August 30 which added to the confusion, since in a number of shops employees were discharged for participation and strikes for their reinstatement ensued.[76] Sigman now offered to make peace. He moved to grant new trials to the suspended executives, the election of a general manager of the Joint Board and an early International convention. The body of shop chairmen acting as mediators, the terms of peace were finally settled. They provided for tolerance of political opinion, and the reinstatement of the suspended local officers; the submission of a proportional representation plan to the next convention, with both the majority and minority opinions to be placed on the referendum ballot; the dues also to be decided by referendum; all suspended members were to become eligible for office; and an election to the Joint Board to be held immediately after the

[71] *Ibid.*, July 25, 1924, p. 1; August 8, 1924, p. 1.

[72] International Ladies' Garment Workers' Union, *Proceedings*, 1925, pp. 42–46; *Daily Worker*, June 18, 1925.

[73] International Ladies' Garment Workers' Union, *Proceedings*, 1925, p. 47; *Daily Worker*, June 21, 1925.

[74] *Daily Worker*, July 25, 1925.

[75] *Ibid.*, July 8, 1925.

[76] *Ibid.*, August 24 and 31, 1925.

elections in the locals.[77] In the elections of the three locals the communists scored overwhelmingly.[78]

In April 1925, the investigators appointed by the Governor's Commission issued their full report and recommendations. These became the basis of the union's additional demands. The employers countered by demands of their own, including the right to reorganize the shops or a dismissal not subject to review by the arbitration machinery, meaning a lifting of the guarantee against discriminatory discharge.[79] The Commission recommended instead the renewal of the agreement for another year and promised to consider the demand for a wage increase not later than November 15, 1925. It also recommended further study of the industry. The Joint Board, unwilling to force another strike, was in favor of accepting the Commission's recommendations. The International added a stipulation that the Commission's final decision be issued not later than May 15, 1926. In the referendum vote the Joint Board was upheld by 10,337 to 3781.[80]

At the special convention called to restore internal peace, the lefts controlled about 110 delegates, giving the administration a majority of about 40. The program of the left called for a referendum vote on dues and assessments, a shop delegate system, the amalgamation of all needle trades, the liquidation of the "class collaboration" policy and a militant policy against the employers, no more expulsions and full and immediate reinstatement of all members disciplined for "political" offenses, and the popular election of all International officers.[81]

President Sigman made a stirring defense of his administration, disclaimed responsibility for the bad employment conditions in the industry, and after a scathing indictment of the communists' callousness towards the interests of the union in their propaganda against the International, exclaimed: "The union must come first, second and last for all time." The convention upheld the suspension of the executive boards by 150 to 112.[82] The convention increased the representation of the larger locals and re-elected Sigman.[83]

[77] International Ladies' Garment Workers' Union, *Proceedings*, 1925, pp. 49–54.
[78] *Daily Worker*, October 10, 1925.
[79] International Ladies' Garment Workers' Union, *Proceedings*, 1925, p. 22.
[80] *Justice*, July 24, 1925, p. 1.
[81] International Ladies' Garment Workers' Union, *Proceedings*, 1925, p. 288.
[82] *Ibid.*, pp. 296–300.
[83] *Ibid.*, pp. 338, 355.

In New York a strike was anticipated and the membership voted by 5936 to 3930, a $20 assessment.[84] The New York Joint Board, now under communist domination, saw to it that the Special Board of Trustees to administer the strike fund came under the control of that faction. To this end it provided that any four of the seven trustees had the power to withdraw funds. In protest, two of the non-communist trustees resigned.[85]

President Sigman was eager, in the event of a strike becoming inevitable, that the overt move be made by the jobbers, but that the union should insist on action with a minimum of delay. He wanted thorough preparation, and the strictest adherence to the "non-political" principle in appointing strike executives; and last but not least, a secret ballot on the strike decision.[86]

On May 20, 1926, the Governor's Commission made its final report. From the union's standpoint it was a partial disappointment. It refused the 44-hour week, the minimum employment guarantee, and permitted the inside manufacturers the right of a 10 per cent "reorganization," or a dismissal not subject to review by the arbitration machinery, during the term of the contract. This right was given only to shops with more than 35 employees, and the employees discharged under this dispensation were to be given a week's notice or a week's pay.[87] The Commission also recommended limitation of the number of sub-manufacturers and an increase of minimum rates.

The communist Joint Board was anxious for a strike and centered the attack upon the reorganization clause. To Sigman the important gain in this report was the limitation of the numbers of sub-manufacturers, which would avert wholesale unofficial "reorganization" through a mass turn-over of sub-manufacturers and the consequent loss of jobs.[88] The Joint Board rejected Sigman's advice and refused to accept the Commission's recommendations. But instead of holding a referendum vote on the all-important issue of striking, as was the custom of the organization, the Joint Board convoked a meeting of shop chairmen which did what was expected of it and rejected the Commission's recommendations. Prior to that the Joint Board had invited the

[84] *Justice*, February 5, 1926, p. 1.
[85] International Ladies' Garment Workers' Union, *Proceedings*, 1928, p. 27.
[86] *Ibid.*, pp. 28–29.
[87] *Ibid.*, pp. 29–44.
[88] *Ibid.*, pp. 47–48.

manufacturers to a conference. The "inside" manufacturers and the sub-manufacturers duly appeared and proposed the Commission's recommendations as a basis of negotiations. This the Joint Board categorically refused and a strike became inevitable.[89]

Political partisanship ruled the selection of the personnel of the several strike committees. Precedent was broken when President Sigman, of the International, was denied the place of chairman of the General Strike Committee. His outstanding competence was never in doubt, nor was the value to the strike in enlisting the prestige of his office questioned. Sigman later charged that the Joint Board had admitted to him that they "would have committed political suicide in the Communist Party had they consented to his election." [90] The International office swallowed these slights and appealed to the membership to adjourn political factionalism.

On the first of July, 40,000 New York cloak makers came out on strike for the limitation of contractors as recommended by the Governor's Commission; raises in minimum wage scales; a guarantee of 36 weeks of employment a year; the 40-hour week; the right of the union to examine the employers' books as an aid to enforcing the agreement; equalization of work; limitation of the use of labor saving machines; and no "reorganization" rights for employers.[91] The group in control of the strike was apparently not too anxious to end it by a settlement. Early in the strike, Governor Smith suggested the recommendations of the Commission as a basis for settlement. The Joint Board thanked him for his interest but ignored his suggestion. It passed over an opportunity to reopen negotiations with the inside manufacturers and jobbers on a more liberal basis than the Commission's report, on the ground, as Sigman later claimed, that "the strike had not fully developed." [92] Late in August, Governor Smith proposed arbitration between the union and the "inside" manufacturers,[93] but to no avail.

The general labor movement pursued a normal attitude toward this communist-led strike. The strike received the customary indorsement from the New York Central Trades and Labor Coun-

[89] *Ibid.*, pp. 48–51.
[90] *Ibid.*, pp. 58–59.
[91] *Daily Worker*, July 2, 1926.
[92] International Ladies' Garment Workers' Union, *Proceedings*, 1928, pp. 68–70.
[93] *Justice*, August 27, 1926, p. 1.

cil and from the convention of the American Federation of Labor.[94] When the employers secured a drastic injunction followed by mass arrests of pickets, the whole labor movement partook in the protest to the Mayor. Strangely enough, the communists raised no objection in principle to the entry of one of the leading figures of the underworld as a mediator.[95] Conferences began in October and the strike was ended after twenty weeks. The General Strike Committee and the shop chairmen approved the agreement after several stormy meetings. In the referendum vote 9945 voted for acceptance and 3533 were opposed.

The terms were condemned by the International Executive Board as inferior to those framed by the Governor's Commission. The Board pointed out that the Commissioner's proposal only granted the employers the right of a yearly 10 per cent reorganization, but the terms of settlement allowed the employer three reorganizations of ten per cent each between June 1927 and December 1928. Nor were employers in shops with less than 35 exempted from the reorganization.[96] Likewise, the demand for the limitation of the numbers of contractors, from the standpoint of enforcement the most important point in the union program, was dropped. Such in the view of the International, were the "fruits" of the strike prolonged beyond necessity at a cost of opening the flood gates to suburban non-union sub-manufacturers, to say nothing of the loss of wages of a whole season, the exhaustion of the treasury, and the shattering of the morale of the membership.[97] A renewed barrage of calumny began against the International officers, aimed to divert attention from the failure.[98]

The sub-manufacturers' association now demanded the same terms as the settlement with the "inside" manufacturers, including the right of reorganization. As an alternative it proposed arbitration. This was a five-day ultimatum to the union. Receiving no reply, the sub-manufacturers' association declared a lockout. In this desperate situation the International took over the management and direction of the New York affairs on December 13, 1926, and agreed to arbitration by the Governor's Com-

[94] *Ibid.*, October 15, 1926, p. 1.
[95] International Ladies' Garment Workers' Union, *Proceedings*, 1928, p. 76.
[96] *Justice*, December 3, 1926, pp. 1, 3.
[97] *Ibid.*, p. 3.
[98] *Daily Worker*, December 4, 1926; an article in the communist *Freiheit* translated in International Ladies' Garment Workers' Union, *Proceedings*, 1928, pp. 80–83.

mission.[99] The answer of the communists was a declaration of war. They called a huge mass meeting from which they took care to exclude the opponents of their policies in the union. President Sigman was among those denied entry.[100] To this the International countered by setting up a Provisional Joint Board as well as new locals. Members were obliged to register anew and receive a new union book.[101]

The Governor's Commission gave an award favorable to the International, in the controversy with the sub-manufacturers. Reorganization rights were limited to shops employing 35 and above, which granted 32 weeks of employment or its equivalent and had been in business at least two years. Business agents obtained access to shops as under the old agreement.[102] The International also succeeded in signing an agreement with the jobbers' association.[103]

The Impartial Chairman under the agreements ruled that the International was the only legitimate representative of the labor interests.[104] The International proceeded with the reorganization of all communist-led locals,[105] and remained impervious to pressure by committees of "liberals" and direct peace overtures.[106] In September 1927, the International granted a conditional amnesty to expelled communists. In Chicago the International, with the aid of John Fitzpatrick, effected a similar purge.[107]

The communists in the International Ladies' Garment Workers' Union and in the furriers' union organized in 1928 the Needle Trades Workers' Industrial Union, intended to comprise all the needle trades. It gave rise to the usual effects of dualism, undermining standards and even to strikebreaking.[108] The communist episode all but destroyed the International Ladies' Garment Workers' Union, the oldest and most representative organization of Jewish workers in America.

The Amalgamated Clothing Workers of America (men's clothing) was at first favored by the leaders of the left wing. William Z.

[99] *Justice*, December 17, 1926, pp. 1–2; The American Federation of Labor later appointed a committee to aid the International's reorganization of the union in New York.

[100] *Ibid.*, December 24, 1926.

[101] International Ladies' Garment Workers' Union, *Proceedings*, 1928, pp. 104–108.

[102] *Ibid.*, pp. 111–114.

[103] *Ibid.*, p. 115.

[104] *Ibid.*, pp. 116–122.

[105] *Ibid.*, pp. 127–130.

[106] *Ibid.*, pp. 142–155.

[107] *Ibid.*, pp. 183–199.

[108] *Workers' Age*, February 17, 1932.

Foster made an educational tour of the Amalgamated centers at the invitation of the national leadership.[109] He reciprocated in his pamphlet *The Bankruptcy of the American Labor Movement,* citing the Amalgamated as the model union.[110] The Amalgamated leadership satisfied the warm feelings of the membership for Soviet Russia and at the same time disarmed possible communist opposition, by organizing in 1921 the Russian Industrial Corporation, to give tangible aid to Soviet Russia by financing and aiding in the operation of clothing factories in that country.[111] As late as May 1924 the editor of the *Daily Worker* spoke of his "tremendous thrill of joy and pride" at being a guest of the convention of the Amalgamated.[112]

But already in August of the same year the paeans of praise gave way to doubts and misgivings and soon even to condemnation. It was occasioned by the support of La Follette for President when the Amalgamated might have chosen to support Foster.[113]

This was a prelude to an anti-Administration campaign by the Trade Union Educational League. President Hillman came out with a denunciation of all groups whether they were leagues or councils, whether of the "right" or "left" variety. He enjoined members of the Amalgamated from holding counsel with outsiders on Amalgamated policies.[114] Within the Amalgamated freedom of utterance would remain unrestricted. The first to feel the weight of the new policy was the "rightist" New York Joint Board, which he reorganized.[115]

The correction of the legitimate grievances in New York having failed to appease the left wing, the Administration proceeded to sterner measures. The officers of New York Operators' Local 5 were suspended for reckless factionalism which tended to give aid and comfort to the anti-union employers in New York, and replaced them by appointed administrators.[116] Moreover, the left wing attack was especially injurious, coming at a time when the union was seeking to renew its agreements in Chicago and

[109] Amalgamated Clothing Workers of America, *Documentary History*, 1920–22, p. 249.

[110] Foster, William Z., *The Bankruptcy of the American Labor Movement*, pamphlet, 1923, p. 53.

[111] *Documentary History*, 1920–22, pp. 361–372.

[112] *Ibid.*, 1922–24, pp. 282–285.

[113] *Ibid.*, 1924–26, p. 57.

[114] *Advance*, December 5, 1924, pp. 1–2.

[115] *Ibid.*, December 19, 1924, p. 1.

[116] *Ibid.*, February 20, 1925, p. 3.

Rochester, since it made use of rumors of wage reductions in New York for purposes of factional advantage.[117]

The communists created an Amalgamated Joint Action Committee which, in addition to propaganda and hostile demonstrations, tried to hamper the collection of assessments levied to aid the bitterly fought strike against two large employers in New York and Chicago, and agitated against the payment of dues.[118]

The Administration now proceeded to drastic measures, and by a combination of firmness and shrewdness arrested the opposition in its tracks. The Administration managed to capture the very protest meetings called by the communists.[119] Thus, communist factionalism gained no headway when it tried to raise its head in Rochester, New York, Montreal, and Toronto, under the mentorship of the Trade Union Educational League.[120]

In the Passaic, New Jersey, woolen strike the communist leaders, unlike their comrades in the garment trades, showed themselves eager to aid exploited and downtrodden wage earners rather than use them as mere pawns in the revolutionary game. Furthermore, when at the end of the long struggle it became obvious that the strikers' cause was being injured by the continuation of their leadership, the communists relinquished it in favor of another group, free of their own handicaps.

Passaic is one of the most important woolen textile centers in the United States with the poor wages and working conditions typical of the industry as a whole. In September 1925, the Botany Worsted Mills and several other mills cut wages 10 per cent. Albert Weisbord, a communist intellectual, began a quiet campaign of organization. Late in January 1927, numerous discharges occurred at the Botany Mills. On January 21 a strike broke out in these mills and quickly spread until the woolen mills in the entire region were on strike.[121] The demands included cancellation of the September wage cut and a 10 per cent increase on the old rates, with time and a half for overtime, the 44-hour week, and the recognition of the United Front Committee which was conducting the strike.[122]

[117] *Ibid.*, p. 2.

[118] *Daily Worker*, April 28, 1925; *Documentary History*, 1924–26, pp. 60–62.

[119] *Documentary History*, 1924–26, pp. 66–72; 1926–28, p. 62; *Advance*, January 22, 1926, p. 11.

[120] *Documentary History*, 1926–28, pp. 62–74.

[121] Amidon, Beulah, "An Old Fashioned Strike," *Survey*, April 1, 1926, pp. 11–12; *New York Times*, February 13, 1926, April 16, 1926.

[122] *New York Times*, February 5, 1926.

By the end of February, the Furstman-Huffman mills were shut down under the pressure of picketing, and the total on strike reached 10,000.[123] Mass picketing led to clashes with the police and to the employment of tear bombs and firemen's hose to disperse the pickets.[124] In their zeal the police attacked the news photographers and destroyed their cameras.[125]

Frank P. Walsh, former chairman of the United States Commission on Industrial Relations, led a protest committee to President Coolidge, but he refused to meet them.[126] Secretary of Labor Davis proposed that the strikers should return to work, after which the employers would take up the grievances with committees from the several departments, the unadjusted grievances to come before an arbitration committee with final power. The owners accepted, as it would eliminate the United Front Committee, and the latter rejected Davis' terms for the same reason.[127] Clashes continued, with the camera men a continued object of police attack.[128]

The strike now became news of national importance. The American Federation of Labor refused to recognize the United Front Committee. Senator La Follette introduced a resolution to investigate the strike.[129] The headquarters of the strikers were raided and Albert Weisbord and 23 others were arrested.[130] Mass picketing and clashes continued and the sheriff invoking a Civil War Riot Act, prohibited all meetings and picketing.[131] Norman Thomas, a leading socialist, arrived from New York to test the constitutionality of that Act. He was arrested as he sought to hold a meeting, and released under $10,000 bail.[132] Albert Weisbord was also released on bail.[133]

On April 20, Governor Harry Moore stepped in as mediator and proposed that the strikers become a part of the American Federation of Labor, and eliminate Weisbord. At first refusing to withdraw at the Governor's behest, Weisbord at last agreed, not wishing to stand in the way of a settlement.[134]

Weisbord's sacrifice at first produced few tangible results. Strikers' meetings, to say nothing of picketing, continued under ban.

[123] *Ibid.*, April 18, 1926.
[124] *Ibid.*, March 2, 3, April 18, 1926.
[125] *Ibid.*, March 3–4, 1926; April 18, 1926.
[126] *Ibid.*, March 17, 1926.
[127] *Ibid.*, March 17–19, 1926.
[128] *Ibid.*, March 19, 1926.
[129] *Ibid.*, March 30, April 3, 1926.
[130] *Ibid.*, April 11, 1926.
[131] *Ibid.*, April 12, 13, 1926.
[132] *Ibid.*, April 15, 1926.
[133] *Ibid.*, April 16, 19, 1926.
[134] *Ibid.*, April 21, 22, 23–27, 1926.

The tables were turned on the sheriff when he was served by an injunction secured by the American Civil Liberties Union ordering non-interference with a scheduled meeting.[135]

Governor Moore, unable to move the companies, gave up the attempt.[136] This brought Weisbord back as the leader of the United Front Committee. Late in May, the Catholic Associated Societies and Parishes came out in support of the strike. Under their auspices 20,000 strikers, their children and sympathizers paraded through the streets and were addressed by leading Polish and Slavonian priests.[137] Relief for the strikers was pouring in from New York and elsewhere, reproducing the wide public response to the Lawrence strike of 1912. Several textile mills were now ready to deal directly with their striking employees, but the ban on the United Front Committee held.[138]

The American Federation of Labor, as late as June 1, stood by its view of the United Front Committee as a communistic group. In the meantime more serious violence developed, such as bombing strikebreakers' homes.[139]

Late in July, Senator Borah agreed to arbitrate the strike, if both sides consented. Weisbord again agreed to withdraw, as the strikers were planning, under the urging of their liberal friends, to apply for admission to the United Textile Workers of America. In the meantime the strikers placed their affairs in the hands of a Citizens' Committee, headed by the economist, W. Jett Lauck.[140]

The United Textile Workers agreed to take over the strike, provided the Weisbord group definitely stepped out.[141] The condition was legally fulfilled without, however, producing a change of heart in the employers.[142] In November a settlement was made with one of the companies. On December 13, the Botany Mills and a subsidiary agreed to re-employ the strikers without discrimination for membership in the United Textile Workers.[143] By March 1, the strike came to an end after more than a year.[144] So far as public awareness was concerned, the Passaic strike was the outstanding labor conflict of the Coolidge era. As a species of communist tactics it also stood by itself.

The significance of the communist campaign to capture the

[135] *Ibid.*, May 1, 1926.
[136] *Ibid.*, May 20, 1926.
[137] *Ibid.*, May 24, 1926.
[138] *Ibid.*, May 26, 1926.
[139] *Ibid.*, June 13–18, 1926.
[140] *Ibid.*, July 25, August 1, 5, 1926.
[141] *Ibid.*, August 13, 14, 1926.
[142] *Ibid.*, August 20–22, 1926.
[143] *Ibid.*, November 12, December 14, 1926.
[144] *Ibid.*, February 15, 17, March 1, 1927.

unions lies not so much in that it failed to attain its objective but in that it arrested the natural process of replacement and development of leadership in the American labor movement. In spite of the widespread insurgency in the first half of the twenties, in spite of the elemental militancy and semi-conscious groping for a wider solidarity in nearly all industries and trades, the younger leadership, the less official and more experimental-minded group, had been forced to cease struggling for more progressive policies in the American Federation of Labor. The "progressives" in the American unions who might normally have forced their way to a higher position in the general labor leadership had instead been driven to come to the old leadership for aid against the undermining tactics of their communist foes. Moreover, when attacked from the left, with their own slogans and articles of faith turned against them, "progressives" often lost heart as well as following. Not so the avowed conservative leadership: that leadership, deriving its spiritual sustenance from wholly different sources, only gained in militancy and drive when the extreme left launched its attack. Hence the victory of Gompers, Woll, and Green.

Opposition to the recognition of Soviet Russia early became the favorite issue of this militant conservatism,[145] which steadily attributed to the Soviet government the actual financing and direction of the communist "boring from within" American unions. The Federation's Russian policy remained identical during the twenties and was varied in 1930 by a demand to place an embargo on Russian goods as "convict made." [146]

The militancy of the Federation conservatives was brought home to liberals even more sharply by the "outlawing" of the Brookwood labor school. Under the urging of Vice-President Matthew Woll, the Executive Council of the Federation in August 1928 requested all affiliated organizations to withdraw support from Brookwood. The charges were that its teaching favored Soviet Russia, was anti-religious, advocated extreme views on sex, and pursued a tenor hostile to the basic philosophy of the American Federation of Labor.[147] The Executive Council acted without giving Brookwood a hearing, notwithstanding that officials of regular unions predominated on the Board of Directors of that institution.

[145] American Federation of Labor, *Proceedings*, 1919, pp. 334–344.
[146] *Ibid.*, 1930, p. 259.
[147] *Survey*, September 15, 1928, p. 585.

The Brookwood action aroused a storm of protest, especially from outstanding educators led by John Dewey. At the convention of 1928 the issue of Brookwood was raised by an enemy of the school, a delegate of the Amalgamated Association of Street and Electric Railway Employees of America, resentful of the attack by the head teacher against the union-management cooperative plan just concluded with the Mitten Management.[148] Matthew Woll took the opportunity to defend his action on Brookwood, citing complaints by students against the teachers' views on religion, sex, and politics. Brookwood's defenders pointed to the Brookwood graduates doing useful union work.[149] On a motion by President Mahon of the Street and Electric Railway Employees' union the Executive Council's action was upheld,[150] and John Dewey was disqualified as an impartial witness on the Brookwood case on the ground of his alleged but disavowed connection with communistic propaganda in America.[151]

The successful conservative counter attack showed up as illusory the communists' hopes of extending control to the existing unions. This had dawned upon the Executive Committee of the Communist International in Moscow as early as 1926, when it severely admonished the Trade Union Educational League for its failures.[152] The communist dual unions in the textile, mining, and garment industries after 1928 were a practical admission of the failure of Foster's policy.[153] Late in 1928 the Red International Labor Union elevated into a formal policy the dualism forced upon the communists by the fortunes of war. It decreed that the so-called progressives in the old unions were no better than the avowed reactionaries, and ordered the Trade Union Educational League to transform itself into an independent trade union center. The metamorphosis was accomplished at Cleveland in September 1929, at a convention attended by hundreds of delegates from existing and paper unions. The new creation was named the Trade Union Unity League.[154]

The political field was lying fallow since 1924 when the Socialist

[148] See Chapter XLIII.

[149] Directors of Brookwood, *An Open Letter to the Delegates to the New Orleans Convention of the American Federation of Labor*, pamphlet, 1928.

[150] American Federation of Labor, *Proceedings*, 1928, pp. 338–339.

[151] *Ibid.*, p. 337.

[152] *American Labor Year Book*, 1927, p. 100.

[153] *Ibid.*, 1929, pp. 133–134.

[154] *Ibid.*, 1930, pp. 95–103.

Party had indorsed La Follette. In 1928 its nominees were Norman Thomas, a former minister and pacifist, and James Maurer, perhaps the outstanding living Socialist trade unionist. The socialist ticket polled 267,835, the smallest vote since 1900, and about the same ratio to the total vote cast as in that year.[155] The communist ticket of William Z. Foster and Benjamin Gitlow polled 48,288, an increase of almost 12,000 over 1924.

The position deserted by the communists was seized earlier in the year by the Conference for Progressive Labor Action, organized by socialists and trade union "progressives" to bore from within.[156] The first call to action was in the February 1929 issue of *Labor Age*, at that time a progressive trade union publication, in a statement, "A Challenge to Progressives." Progressives were urged to fight for the organization of the unskilled and semi-skilled, the abolition of racial and national discrimination in the unions, the five-day week, social insurance, recognition of Soviet Russia, encouragement of co-operative enterprises, and the spreading of opposition to the National Civic Federation.[157]

In May 1929 a formal conference of socialists, intellectuals, and progressive trade unionists met at New York City, among the delegates being members of 32 unions from 31 cities and 18 states. No outstanding trade union leader was present. The meeting launched the Conference for Progressive Labor Action but took care to affirm that it was not a dual body to the American Federation of Labor.[158] But the American Federation of Labor this time chose not to wait for the character of the Conference to define itself more clearly. Its *News Service* intimated that the Conference was of communist inspiration. That charge was vigorously denied by the leader of the Conference, A. J. Muste.[159]

The Conference played a rôle in the Southern organizing campaign, a number of its adherents being active organizers. It also played a rôle in the textile strike in Paterson where it opposed the communist National Textile Workers' Union on the ground of dualism. It also did useful work in fighting corruption in unions. However, the Conference soon found the industrial arena too confining. Early in 1931 the Conference and its organ, *Labor Age*, turned to political activity and to a sharp criticism of the Socialist

[155] *Ibid.*, 1929, p. 143.
[156] *Ibid.*, 1930, pp. 86–94.
[157] *Labor Age*, February 1929, p. 5.
[158] *Ibid.*, June 1929, pp. 3–4.
[159] *Ibid.*, July 1929, pp. 19–20.

Party.[160] This led to an exodus of the majority of the socialists. In September 1931 the Conference completed its metamorphosis from an industrial "boring from within" group to a political party of a kind, with a program which placed it between the Socialist and Communist parties.

[160] *Ibid.*, April 1931, p. 13; August 1931, pp. 4–5.

CHAPTER XLI

THE ECLIPSE OF COAL UNIONISM

The agreement concluded after the prolonged strike of 1922 expired on April 1, 1924. The miners' leadership, realizing the precariousness of the agreement in view of the growing expansion of the non-union fields, sought to combine a no retreat policy on wages and conditions with a long term contract to give the unionized fields a basis for long range planning. In this scheme of things the agreement had to be as national in scope as possible.[1]

On February 19, 1924, the Jacksonville agreement, named after the meeting place, Jacksonville, Florida, to last until 1927, was made between the operators and miners of Illinois, Indiana, Ohio, and Western Pennsylvania. The old conditions were renewed.[2] In the referendum vote the agreement was upheld by 168,858 to 26,253. All districts affected by the contract were allowed to vote.[3]

The Jacksonville agreement did not begin life auspiciously.[4] Many operators found the rates too high and by subterfuge sought to get around it. Operators resorted to "group" leasing arrangements and other so-called co-operative devices. The Indiana District outlawed all such schemes.[5]

Widespread demands arose from operators throughout the country for a downward revision of the scale. Lewis, however, stood fast by his slogan of "No backward step." [6] The Pittsburgh Chamber of Commerce, the voice of the Western Pennsylvania coal operators, ominously joined in the chorus. Union operators in West Virginia took the lead and arbitrarily returned to the 1917 scale.[7] A still greater blow to the union was given by the Pittsburgh Coal Company when it repudiated the Jacksonville agreement and became a non-union concern.[8]

The repudiation movement soon took on a wholesale character.

[1] United Mine Workers of America, *Proceedings of the 29th Consecutive and 6th Biennial Convention*, 1924, Vol. II, pp. 738–795.

[2] *Proceedings of Joint Conference of Coal Operators and Coal Miners of Western Pennsylvania, Ohio, Indiana, and Illinois*, 1924, p. 44.

[3] *United Mine Workers' Journal*, April 1, 1924, p. 11.

[4] *Ibid.*, August 15, 1924, p. 3.

[5] *Ibid.*, April 1, 1925, p. 7.

[6] *Ibid.*, April 1, 1926, p. 7.

[7] *Ibid.*, August 1, 1925, p. 10.

[8] *Ibid.*, April 1, 1926, p. 3.

The impetus behind it was the systematic lowering of wages in the non-union fields. In Alabama wages had come down to $2.13 a day and 28 cents a ton for loading. In Harlan, Kentucky, wages were as low as $2.00 a day and 20 cents for loading.[9] In desperation the union resorted to court procedure. It applied to the Circuit Court of Morganstown, West Virginia, for an injunction to restrain wage reductions in violation of contract. The Court, however, denied that it had jurisdiction.[10]

To save their market, the Ohio Operators' Association requested the Ohio District union to reopen the wage question. The union stood by the Jacksonville contract and scale.[11] But brave slogans by themselves could not avert downward trends. At the signing of the Jacksonville agreement, the output of the organized fields was 60 per cent of the total. During 1925, this ratio was reversed. Operators who had both union and non-union mines shifted work to their non-union properties.[12] The shift from union to non-union production told in the reduction from 1923 to 1925 in the output of Illinois of 16 per cent, of Indiana 19 per cent, and of Ohio 31 per cent. On the other hand, Kentucky showed a large enough increase to rise from a position below Ohio in 1921 to producing twice as much coal as Ohio in 1925.[13]

The decline in the union's fortunes played into the hands of the Lewis opposition, both communist and progressive. The communists had opened their campaign of boring from within by forming an International Committee, which the International Executive Board promptly declared a dual organization, subjecting its membership to expulsion from the United Mine Workers. At the Tri-district anthracite convention in July 1923, two of the emissaries of the International Committee, not without direct encouragement by Lewis, were set upon by some of the delegates and physically expelled.[14]

The only foothold obtained by the communists in the miners' union was in Nova Scotia. That District had sought to affiliate with the Red Labor Union International. The overt act which furnished the ground for the revocation of the District's charter

[9] *Ibid.*, June 1, 1926, pp. 3, 8.
[10] *Ibid.*, June 15, 1926, p. 11.
[11] *Ibid.*, September 1, 1926, p. 7.
[12] Bruere, Robert, "Next," *Survey*, July 1, 1926, p. 427.
[13] United States Department of Commerce, Bureau of Mines, *Mineral Resources of the United States*, 1925, Part II, p. 397.
[14] *United Mine Workers' Journal*, July 15, 1923, p. 4.

was an unauthorized stoppage in protest against the employment of armed guards during the strike against the British Empire Steel Corporation, a coal and steel producer. Lewis immediately ordered the men back to work. The District board rebelled and had its charter revoked.[15]

At the 29th Convention of the United Mine Workers, the Nova Scotia episode played an important part. The Administration was willing to reopen the matter for consideration and justified its own harsh disciplinary action on the ground that the District officials were responsible for a wage reduction in that District. On the Nova Scotia issue all opposition groups united and, although in the end the Administration was victorious by a large vote, the opposition came within striking distance of stripping President Lewis of his power to appoint organizers.[16] This was the greatest strength ever mustered in convention by the anti-Lewis forces. However, the bulk of it was non-communist.

The signing of the Jacksonville agreement at first weakened the opposition; but they derived new strength from the undermining of the agreement by the operators as well as from the covert arbitration clause in the anthracite contract of 1925.[17]

With the loss of union territory and the breakdown of the Jacksonville agreement, the Lewis policies were vigorously challenged. A "Save the Union Committee" nominated candidates in the International and district elections of 1926. John Brophy, President of District 2, Pennsylvania, was its candidate for International President and William J. Brennan from the anthracite region, for Secretary-Treasurer. The Committee had an organ, the *Coal Miner*, published at Springfield, Illinois, with Frank Keeny of West Virginia as the official editor. Alexander Howat, the insurgent leader of the Kansas miners, toured the mining fields on behalf of the Save the Union Committee candidates.[18] The Committee was progressive in complexion but was supported by the communists, who at this time were not a negligible factor in the miners' union.

To combat the Committee Lewis pooled forces with District 12, Illinois, his inveterate enemy.[19] Brophy contended that the Lewis

[15] *Ibid.*, August 1, 1923, p. 3.
[16] United Mine Workers of America, *Proceedings*, 1924, Vol. II, pp. 598–686.
[17] See Chapter XXXVI.
[18] *Daily Worker*, December 1, 1926.
[19] *Ibid.*, December 10, 1926.

policies were impotent to meet the basic problem of overdevelopment and unemployment. The very proud slogan of "No Backward Step," according to Brophy, was but an inducement to operators to transfer the production from their union to their non-union mines.[20] More important than the "No Backward Step" policy on wages and conditions was an aggressive campaign of unionizing the Southern field.[21] Brophy painted a dark picture of the state of the union. In West Virginia where at one time it had had 60,000 members, now it had virtually none, and in Kentucky, Tennessee, Alabama, and Colorado the union was likewise a mere memory. In the Southwest the situation was no better. In Central and Western Pennsylvania he saw the union fighting with its back to the wall: While nominally Lewis' "No Backward Step" prevailed, miners were doing dead work for next to nothing, and the union had to swallow humiliating discriminations.[22]

The concrete program of the Save the Union Committee was organization of the mines, a labor party, honest elections and democracy in the union, no wage cuts, no surrender of the check-off, short term contracts expiring simultaneously for anthracite and bituminous fields, and finally the reinstatement with full rights of Alexander Howat and all others unjustly expelled from the United Mine Workers.[23]

Brophy's group proposed to extend the union's sway by a rigid adherence to the rule that no operator could sign with the union merely for a part of the mines under his control. In the future no Northern operator would be allowed to run his Southern mines non-union. Had Lewis shown greater sternness towards the operators, Brophy charged, the union would not have reached its present precarious position.[24] Lewis denied that it would give the union any leverage for extending southwards. As evidence he cited an impressive number of large operators with mines both union and non-union. Considering the overdevelopment of the industry, the kind of pressure urged by Brophy would result in deunionizing the Northern mines of such operators.[25] Brophy and the rest of the Save the Union ticket were defeated, but charged ballot box stuffing.

[20] Brophy, John, "A Larger Programme for the Miners Union," *Coal Miner*, November 15, 1926.
[21] *Daily Worker*, December 11, 1926.
[22] *Coal Miner*, November 15, 1926.
[23] *Daily Worker*, December 10, 1926.
[24] *Coal Miner*, December 1, 1926.
[25] United Mine Workers of America, *Proceedings*, 1927, Vol. I, pp. 436–460.

The convention of 1927 chose to ignore the operators' cry for a competitive wage scale with the non-union fields and stood by the "No Backward Step" policy. This time the union was ready to conclude a two-year contract, but the Jacksonville terms must remain unchanged.[26]

The operators who met the union scale committee suggested a modified form of arbitration.[27] The union, of course, refused.[28] As prospects of renewal of the Interstate Agreement became dim, a policy of district and individual settlements was authorized on condition of "No Backward Step." [29] District 12, Illinois, attempted to negotiate a district contract continuing the Jacksonville scale.[30] But the operators bluntly refused.[31] After six months' suspension, the operators in Illinois, did agree to continue the old scale to March 31, 1928. A commission was to study the situation, its findings to become the basis of a permanent contract effective April 1, 1928.[32] Indiana, Missouri, Arkansas, Oklahoma, Texas, and Kansas followed Illinois.[33]

Western Pennsylvania and Ohio remained obdurate to the union's demands. The Pennsylvania miners, in addition to privation, were subjected to evictions from their homes and the curtailment of their rights of assemblage by the private coal and iron police. The American Federation of Labor called a special conference in Pittsburgh in November 1927, with William Green presiding, to protest against the denial of miners' rights, and to appeal for aid to the strikers.[34] The Pittsburgh Terminal Company and the Ohio operators were firm against the union.[35]

Senator Johnson of California put through a resolution to investigate conditions in Pennsylvania and Ohio. The committee of United States Senators upheld the union's charges of denial of rights.[36]

When the temporary settlements in Illinois and elsewhere were

[26] *Ibid.*, Vol. I, pp. 434–435.
[27] *United Mine Workers' Journal*, March 1, 1927, p. 9.
[28] *Ibid.*, March 15, 1927, p. 3.
[29] *Illinois Miner*, April 2, 1927.
[30] *Ibid.*, May 14, 1927.
[31] *Ibid.*, July 9, 1927, p. 3.
[32] *Ibid.*, October 8, 1927.
[33] *United Mine Workers' Journal*, October 15, 1927, p. 3.
[34] *Ibid.*, December 1, 1927, pp. 3–7.
[35] *Ibid.*, January 15, 1928, p. 7.
[36] *Ibid.*, March 15, 1928, p. 3.

due to be replaced by permanent agreements, the operators demanded wage reductions ranging from 20 to 33⅓ per cent. This caused another suspension in Illinois on April 1, 1928.[37] Individual agreements were soon concluded with over 50 operators.[38]

As the Jacksonville scale was the sole stumbling block to a settlement, the Illinois miners requested the reconvening of the International Scale Committee.[39] After eight days of debate the Committee lifted the prohibition on settlement below the Jacksonville scale. Each district was to settle as best it could.[40]

Accordingly, Illinois agreed on a 91 cents a ton and $6.10 for day men, a reduction of about 18 per cent. The new contract was to hold until March 31, 1932.[41] The contract was accepted by a close vote of 26,838 to 25,497. The Southwest and Indiana followed Illinois.[42] The operators of Ohio and Western Pennsylvania still remained firm. Realizing the hopelessness of continuing the strike in these two states, the International Policy Committee openly admitted defeat in July 1928.[43]

But not everyone in the union was willing to admit defeat. "Save the Union" groups sprang up through Pennsylvania and Ohio, led by progressives and communists. In January 1928 a "Save the Union" conference of 125 came out with the slogan, Lewis must go. During the strike in Pennsylvania and Ohio, the left wing had organized a Pennsylvania-Ohio Relief Committee, to supplement the relief from the United Mine Workers, which was claimed to be inadequate and discriminatory.[44]

In the anthracite field the Save the Union slogan was, "Lewis and Capellini Must Go." The anthracite insurgents joined the bituminous rebels in demanding support of the Pennsylvania-Ohio Relief Committee in opposing separate district agreements as in Illinois, and declaring war on efficiency methods throwing thousands out of work.[45] In the anthracite region the factional

[37] *Illinois Miner*, March 31, 1928.
[38] *Ibid.*
[39] *Ibid.*, June 16, 1928.
[40] *Ibid.*, July 21, 1928.
[41] *Ibid.*, September 8, 1928.
[42] *United Mine Workers' Journal*, September 15, 1928, p. 3; *Illinois Miner*, September 22, 1928.
[43] *Daily Worker*, July 20, 1928.
[44] *Ibid.*, January 7, 1928.
[45] *Ibid.*, February 21, 1928. Rinaldo Capellini was President of one of the anthracite districts who, elected as an insurgent, became an ardent and aggressive supporter of Lewis.

war resulted in the death of two of the leaders of the "Save the Union" group by machine gun fire.[46]

As yet the insurgent movement was not purely communist, the leaders being Brophy and Powers Hapgood, an intellectual turned coal digger, and Pat Toohey, a communist. Early in March 1928, the "Save the Union Committee" called a national conference for April 1, 1928. The call outlined a program of continuing the Pennsylvania and Ohio strike, a six-hour day and five-day week, the nationalization of the mines, a labor party, the Jacksonville scale, a national agreement, democracy in the union and the abolition of company control in the union.[47]

The conference which met 1000 strong in Pittsburgh and elected officers, played into Lewis' hands, as it gave him ground to brand the "Save the Union" group as dual unionists. Moreover, a blow came from another direction as well. The "Save the Union" group appealed to the non-union miners of Eastern Pennsylvania whom Lewis had abandoned to their fate in 1922 to come out on strike,[48] but the response was slight.[49]

Lewis countered by expelling all the "Save the Union" leaders from the United Mine Workers as dual unionists.[50] Expulsions throughout the coal fields followed. It is not unlikely that had the Brophy faction avoided the open rebellion of a formal organization within the union which could be classed as "dual," that Lewis might have hesitated to take the drastic course of expulsion. Lewis' expulsion policy made for a pure communist leadership of the rebellion and for avowed dual unionism. Against the advice of the Brophy progressives, a convention was called to form a new miners' union.[51] A National Miners' Union was launched in September 1928.[52] But it had to manage without the progressives.

In the anthracite region a suspension in 1925 was followed by the intervention of Governor Pinchot and others and a renewal of the agreement practically on the old conditions. Throughout the twenties when the union was fighting for its very existence in the bituminous fields, in the anthracite field the recognition of the union was no longer an issue. The only issues between the operators and the union were wages and working conditions. The

[46] *Ibid.*, March 1, 1928.
[47] *Ibid.*, March 5, 1928.
[48] *Ibid.*, March 29, 1928.
[49] *Ibid.*, April 18, 1928.
[50] *Illinois Miner*, April 28, 1928.
[51] *Daily Worker*, June 19, 1928.
[52] *Ibid.*, September 12, 1928.

position of the United Mine Workers in both fields was a direct reversal of the situation earlier in the Century. However, the new agreement contained a clause regarded by Lewis' enemies as a covert arbitration clause.

In the campaign of suppression of the "Save the Union" movement, Lewis and the officials of District 12, Illinois, acted as allies.[53] But the war between the International and the Illinois leadership was suspended only when threatened by a "rank and file" or similar insurgent movements. Normally that rivalry was the most persistent fissure in the union. In 1928 Lewis had succeeded in driving Farrington from office by producing proof that the latter had accepted lucrative employment with the largest coal company in Illinois.[54]

The most serious Lewis-Illinois controversy broke out in 1929. Lewis removed the officers of Sub-District 9, District 12, for alleged financial irregularities and replaced them with his own partisans.[55] District 12 countered by a general redistricting of its domain so as to eliminate Sub-District 9 and its Lewis-controlled officers.[56] For that and for alleged incompetency and corruption, Lewis revoked the charter of District 12 on October 10, 1929.[57]

At Lewis' move to take over the property of the District, the old District 12 officials applied for an injunction to keep him out of the District. They asserted that Lewis' authority under the union constitution no longer held, as the constitution itself had lapsed as a result of the failure of the International to convene a convention at the regular date.[58] The court granted the injunction.[59]

Lewis now sought to retrieve his error by calling an International convention.[60] District 12, however, had in the meantime rallied all the anti-Lewis groups, including Brophy and Howat and, adhering to its claim that the constitution had lapsed, called a convention to reorganize the United Mine Workers of America.[61] The anthracite districts refused to abandon Lewis, but the bulk

[53] *Illinois Miner*, May 19, 1928; June 16, 1928.
[54] *Ibid.*, September 4, 1926.
[55] *United Mine Workers' Journal*, June 15, 1929, p. 8.
[56] *Illinois Miner*, July 20, 1929.
[57] United Mine Workers of America, *Proceedings*, 1930, Vol. I, pp. 84–87.
[58] *United Mine Workers' Journal*, November 15, 1929.
[59] *Ibid.*, February 1, 1930, p. 3.
[60] *Ibid.*, March 1, 1930, p. 3.
[61] *Ibid.*, March 15, 1930; United Mine Workers of America Reorganized, *Proceedings*, 1930, p. 10.

of the 100,000 bituminous miners still in the union was in Illinois and Kansas,[62] leaders in the anti-Lewis revolt.

At the reorganized convention Brophy tried to keep Farrington out but failed. Alexander Howat, who had been reinstated in the union by Lewis and was now President of the regular Kansas District, was elected International President of the Reorganized United Mine Workers, with John H. Walker, Secretary-Treasurer.[63]

The leaders of the Reorganized miners' union tried to clear themselves of the charge of being dual unionists, and in a letter to William Green reiterated that the old United Mine Workers had ceased to exist but proposed a joint meeting of both conventions, with former Secretary of Labor Wilson, himself an ex-officer of the United Mine Workers, as an impartial chairman.[64] President Green refused to have traffic with dualists and secessionists.

Lewis' convention naturally upheld his contentions. Following both conventions, Lewis' District 12 became active, causing the Reorganized District 12 to apply to the court to enforce its earlier injunction. The judge found Lewis and his provisional appointees guilty of violating the injunction,[65] and was upheld by the Appellate Court. Lewis in turn scored a court victory when, on the application of eleven locals in Franklin county then and afterwards faithful to him, he secured an injunction against the Reorganizers.[66] But his triumph was shortlived, as, upon rehearing, the entire matter was thrown out of court on the ground that it was already before another court.[67]

The cross fire of injunctions finally ended in a decision by an outside judge, bearing the earmarks of a compromise out of court. The constitution had not lapsed and Lewis was still President, but the old officers of District 12 were also in office, in good standing with the International and Lewis was not to interfere with them.[68] Dues paid to either District office in Illinois were valid. The Kansas District was not given the same standing. Individual members were restored to their old rights in the union in Illinois, but not elsewhere.[69]

[62] *Illinois Miner*, November 16, 1929.
[63] *Ibid.*, March 15, 1930, p. 1.
[64] *American Miner*, September 13, 1930, p. 7.
[65] *Illinois Miner*, July 12, 1930.
[66] *United Mine Workers' Journal*, August 15, 1930, p. 7; September 1, 1930, pp. 3–4.
[67] *Ibid.*, October 15, 1930, p. 8.
[68] *Ibid.*, March 15, 1931, p. 8.
[69] *Ibid.*, p. 8.

Anti-Lewis insurgents like Brophy and Howat joined the proscribed irreconcilables of their own accord. Illinois defended reconciliation with Lewis by the necessity of a united front against the employers on April 1, 1932, when the contract expired. But in reality the Illinois District officers were the gainers from the compromise.

The compromise left two anti-Lewis groups in the field, in addition to the communist National Miners' Union: one around Belleville, Illinois, and the other in West Virginia.[70]

Immediately after the merger of the United Mine Workers unions Frank Keeney of West Virginia organized an independent West Virginia union, which in the summer of 1931 carried on a hopeless strike against unbearable conditions. The union won no concessions, but demonstrated that unionism among West Virginia miners was not dead.[71]

The peace between Lewis and the leaders of District 12, Illinois, proved, however, but a prelude to further disunity in that once powerful District.[72]

[70] *Labor Age*, May 1931, p. 11; August 1931, pp. 11, 28.
[71] *Ibid.*, September 1931, pp. 9–10.
[72] See Chapter XLIV.

CHAPTER XLII

LABOR IN IMITATION OF BUSINESS

While labor was battling against mobilized and determined business to protect and to enlarge its war-time gains in conditions and status, a new union activity endowed by its advocates with the virtue of assuring victory over capitalism by capitalism's own methods was proposed in labor banking. Labor would mobilize the wage earners' savings in its own financial institutions and would unlock the door of open shop industry with the golden key of credit. Nay labor would go much farther: it would effect a total redirection of capitalism by emerging as a first-rate financial power. Labor's struggle for its rights would be transferred from the picket lines, the Congressional lobby, and the courts to the stockholders' meetings of the large corporations. Nor would labor's war have to be fought to the bitter end. Once labor had demonstrated its capacity to mobilize on the financial front, capitalism would easily recognize the parity of the labor power with itself, and would even be willing to submit to being peacefully assimilated and annexed by that power. Thus labor's grim crusade against the implacable masters of the steel, coal, meat packing, and the many other industries was to be rerouted *via* labor banking. To be sure, there was also the more sophisticated view that the labor bank would be just another service institution for the union membership, like the sick and unemployment benefit funds; or would add to the union's prestige in the members' eyes. It remained for the most respected labor organization in the country, the Brotherhood of Locomotive Engineers, to act to the full on the plane of the more ambitious expectations.

A resolution to establish a union bank had been introduced and rejected at the convention of the Brotherhood of Locomotive Engineers in 1912. In the convention of 1915 the Grand Chief Engineer and the Advisory Board were instructed to consider the advisability of forming a bank at an opportune time.[1] In June 1920 Grand Chief Warren S. Stone and Assistant Grand Chief

[1] *Locomotive Engineers' Journal*, August 1920, p. 707.

W. B. Prenter recommended to the Advisory Board the organization of a Brotherhood of Locomotive Engineers National Co-operative Bank with a capital of $1,000,000. Ten thousand shares of stock were issued at $100 a share and for each share additional $10.00 were paid in for surplus. Only Brotherhood members were entitled to hold stock, and dividends were limited to 10 per cent.[2]

In point of time, however, the modest bank launched by the International Association of Machinists on May 15, 1920, with a capital of $160,000 and a paid in surplus of $40,000, was the pioneer enterprise.[3] The first locomotive engineers' bank was opened on November 1, 1920, in Cleveland, Ohio. The officers were Warren S. Stone, President, W. B. Prenter, Vice-President and cashier, and Dr. W. F. McCaleb, formerly of the Federal Reserve Bank at Dallas, Texas, Vice-President and manager.[4] Despite the depression of 1921 the bank's resources increased at the average rate of slightly under $1,000,000 a month for the first year.[5] This growth, unprecedented in financial annals, filled the promoters of the bank with missionary zeal. In October 1921, the Brotherhood took over a bank in Hammond, Indiana, in co-operation with the local lodges of engineers, firemen, and conductors and reorganized it as the People's Co-operative State Bank.[6] In December 1922 the Transportation Brotherhood's National Bank at Minneapolis, Minnesota, was opened, with the parent bank in Cleveland retaining 51 per cent of the stock and the balance sold to the members of the four railroad transportation brotherhoods. Next a bank was opened at Spokane, Washington, in which the Cleveland bank retained only 25 per cent of the stock.[7]

In the spring of 1922, the Brotherhood financiers extended their scope of operations by organizing the Brotherhood Holding Company with a capitalization of $1,001,500, 7 per cent preferred stock and 1000 shares of no par common. The Brotherhood naturally retained 51 per cent of the common stock.[8] The new venture, the Brotherhood officials explained, was necessitated by the legal re-

[2] *Ibid.*, p. 707.

[3] Boeckel, Richard, *Labor's Money*, Harcourt, Brace and Company, New York, 1923, p. 4.

[4] *Locomotive Engineers' Journal*, December 1920, p. 1010.

[5] Boeckel, *op. cit.*, p. 78.

[6] Industrial Relations Section, Princeton University, *The Labor Banking Movement in the United States*, 1929, p. 3.

[7] *The Labor Banking Movement in the United States*, pp. 31–32.

[8] *Ibid.*, pp. 41–42.

strictions on the parent bank preventing it from making loans on uncompleted buildings or beyond a radius of 10 miles from Cleveland. They were eager to aid small home building and small scale enterprises.[9] In January 1923 the Brotherhood made ready for a rôle in investment banking by organizing the Brotherhood Investment Company with a capital of $10,000,000. Stock was sold to members and the general public.[10] Warren S. Stone, who had made his mark as a labor leader, now became an authority on investments. The "President's Page" in the *Journal* began to echo the financial letters of investment houses. The membership was scolded for allowing itself to be victimized by financial sharpers while the safe investments offered by the Brotherhood went shamefully neglected.[11] The "doubting Thomases" who in their ignorance thought that a labor organization should not be diverted from the purpose of protecting the members' job interests, were haughtily informed by Stone that his large promotional and financial activities never interfered with his efforts to protect their job interests.[12]

After 1923 came the following regional securities companies to serve as feeders to the parent company in Cleveland, which retained control: [13]

Name and Location	Year Organized	Controlled by	Capital
Pacific Brotherhood Investment Company, Portland, Oregon	1924	B. of L. E.	$1,000,000
Brotherhood of Locomotive Engineers Securities Corporation, New York	1925	B. of L. E.	3,000,000
Southern Brotherhood of Locomotive Engineers Securities Corporation, Birmingham, Alabama	1925	B. of L. E.	2,000,000
Brotherhood of Locomotive Engineers Securities of Philadelphia	1925	B. of L. E.	3,000,000
California Brotherhood Investment Corporation, San Francisco[a]	1926	B. of L. E.	1,000,000

[a] *American Labor Year Book*, 1926, p. 327.

The Brotherhood leaders did not confine the gospel of labor banking to their own membership. They addressed conventions

[9] *Locomotive Engineers' Journal*, April 1922, p. 270.
[10] *Ibid.*, January 1922, p. 10.
[11] *Ibid.*, January 1923, p. 10.
[12] *Ibid.*, June 1923, p. 441.
[13] *American Labor Year Book*, 1924–25, pp. 214–215; Princeton University, *op. cit.*, pp. 44–46.

of international unions and meetings of city and state federations of labor in favor of labor's control of its own finances. On February 1, 1922, a co-operative bank, the Producers' and Consumers' Bank, was organized under the direction of the Banking Committee of the Central Labor Union of Philadelphia and Vicinity.[14] Labor banks multiplied. On the basis of their control they were in four groups: those controlled by international unions, by local unions, by state federations of labor, and by city central labor bodies in close conjunction with well-known persons, labor leaders, or "friends of labor." The best managed banks were established by the Amalgamated Clothing Workers of America. The Amalgamated Trust and Savings Bank of Chicago was chartered April 1922 with a capitalization of $200,000 and $100,000 paid in surplus. Stock subscription was limited to Amalgamated members. Control was in the hands of the International organization and the Chicago Joint Board. The success of its Chicago bank impelled the Amalgamated to found a bank in New York in April 1923. One of the special services of the Amalgamated banks was the transmission of funds to relatives and friends in Soviet Russia. At that time no reliable means of transferring funds from the United States to Russia existed and over 150,000 people took advantage of this service in the first year.[15] The Amalgamated banks inaugurated a loan service for small borrowers at an interest charge no higher than other banks charged for commercial loans. They also organized an Amalgamated Investors, Incorporated, to advise small investors on safe investments. The union controlled the investment company through its ownership of the non-par common stock. All transfers of stocks of individual members were made through the union as a protection against the infiltration of hostile interests. Return on stock was limited to 10 per cent and earnings over and above went into surplus or were disbursed to depositors in additional dividends. During 1925, the Amalgamated Bank in New York City increased capital and surplus from $300,000 to $450,000.[16] A significant venture of that bank was the financing of a group of co-operative apartment houses for the members of the union.[17]

[14] Boeckel, *op. cit.*, pp. 82–83.

[15] Amalgamated Clothing Workers of America, *Documentary History*, 1922–24, pp. 89, 91, 145.

[16] *Ibid.*, 1924–26, pp. 145–152.

[17] *Ibid.*, 1926–28, p. 99.

Labor banking had its most rapid expansion between 1922 and 1924. At the close of 1922, 10 labor banks were in existence, of which five belonged in the Brotherhood of Locomotive Engineers group. Eight banks were added in 1923, of which three were sponsored by the Brotherhood. In 1924, 11 banks were added. In 1925 four new banks were formed. The maximum total was 36 in 1926.[18]

Many of these banks owed their life to professional promoters who knew how to engender enthusiasm among local labor groups. Many a shaky private bank was tossed into the laps of these groups at an attractive price. The movement extended from New York to California and from Minneapolis to Tucson, Arizona.[19]

The capital invested in labor banks reached its peak in 1926, when it was over $13,000,000 including surplus. Thereafter a decline set in,[20] with capital decreasing between 1926 and 1930 at the rate of a million and a quarter a year. In 1930 only 14 banks survived.[21] The causes of failure varied from lack of support to incompetent management and the indifference of profit seeking promoters to the interests of the labor groups they pretended to serve.[22]

The fate of the engineers' ventures in finance was the costliest object lesson. By 1925 the parent bank in Cleveland realized that its portfolio left much to be desired. To put itself on a sounder basis it was decided to invest heavily in Florida land. The mem-

[18] *The Labor Banking Movement in the United States*, pp. 31–54.

[19] *Ibid.*, pp. 45–52.

[20] Bureau of Labor Statistics, *Handbook of Labor Statistics*, 1931, p. 174.

[21] The following table from the *American Labor Year Book*, 1932, p. 187, shows the rise and decline of labor banks by years:

Date June 30	No. of Banks	Capital	Surplus and Undivided Profits	Deposits	Resources
1920	1	$ 160,000	$ 49,695	$ 697,243	$ 899,471
1921	3	1,220,000	193,087	6,345,863	9,936,461
1922	7	1,640,000	504,011	15,801,434	19,879,800
1923	14	3,214,890	1,055,788	32,930,541	39,253,339
1924	25	5,968,963	1,941,039	60,394,612	71,887,652
1925	29	7,593,070	2,649,148	85,143,783	100,159,713
1926	36	9,316,600	3,782,210	108,899,264	126,356,944
1927	33	8,555,000	3,807,481	108,548,389	125,640,521
1928	28	7,437,500	3,606,915	98,183,830	114,748,059
1929	22	6,687,500	3,807,579	92,077,098	108,539,894
1930	13	4,062,500	3,303,336	59,220,765	68,222,228
1931	11	3,912,500	2,952,878	50,949,570	59,401,164
1932	7	2,537,500	927,489	25,592,979	30,684,593

[22] *The Labor Banking Movement in the United States*, pp. 238–244.

bership, too, would be given the opportunity to grow rich from Florida investments. A town poetically called Venice was built and widely advertised as a "New Eden" in the *Locomotive Engineers' Journal.* Unfortunately the New Eden was completed at a heavy cost just on the eve of the expulsion of the unsuspecting Adams and Eves.[23]

Rumblings of the collapse of the whole huge edifice had been heard as early as 1926, but the extent of the *débâcle* was not known until after the convention of 1927 set up a Committee of Ten to disclose the unvarnished truth. The Committee and the convention were in session for three months. Warren S. Stone had died shortly before the convention and his successor and associate in finance, Prenter, was left to bear the brunt of the attack. The disclosures revealed a story of incompetence and unfathomable recklessness of those who had come to imagine themselves as Napoleons of finance.[24] The convention voted to assess each member $5.00 a month for a period of two years and to salvage as much as possible from the wreckage. No further financial ventures were to be permitted.[25] The convention ordered the trial of four of the International officers. Three were adjudged guilty and President Prenter was too ill to be tried. Leadership was entrusted to one who had not had any part in the financial episode.[26] Thus ended the dream of beating capitalism at its own game. In March 1930 the parent institution, the Engineers' National Bank of Cleveland, merged with a non-labor bank.[27]

Labor banking was injected in the labor movement not to secure to wage earner time-deposits slightly higher rates of interest, nor to enable him to make dollar remittances to Russia. It was advanced as a means of extending labor's control over industry *via* the financial route beyond the mere job control which even the most successful old line unionists could achieve. It was designed to aid trade union activities by removing from the reach of the anti-union employer the savings of the working people. Also, with such savings mobilized in labor banks, the friendly employer could be protected against the financial intimidation

[23] *Locomotive Engineers' Journal,* November 1925, pp. 812–815. Articles extolling the "New Eden" appeared in each issue to September 1926.
[24] *Cleveland Plain Dealer,* June 19, 25, 1927.
[25] *The Labor Banking Movement in the United States,* pp. 250–252.
[26] *Cleveland Plain Dealer,* July 8, 9, 1927.
[27] *American Labor Year Book,* 1932, p. 187.

by open shop associations similar to the San Francisco Industrial Association or the Landis Award Committee of Chicago. The Mount Vernon Savings Bank, the machinists' bank in Washington, District of Columbia, by extending financial aid to a large machinery construction company in Norfolk, Virginia, induced it in 1920 to break away from the other employers in a strike. But the large expenditure failed to save the men's jobs. The Amalgamated banks in New York and Chicago refused loans to open shop employers in organized industries. In Hammond, Indiana, the union bank extended a loan to an employer unable to secure other bank credit because he paid a higher wage than his competitors.[28] Evidently, this trade union justification of labor banking has very definite limitations. Normally the employer who needs the labor bank to rescue him from such pressure is an undesirable risk from the purely bankers' standpoint. If the labor bank looks upon such a loan as a military expenditure or a substitute for an appropriation from a defense fund, the action is free of inner contradiction. However, if the labor bank seeks to combine the bankers' motive of safety of investment with the unionists' motive of reducing employer resistance, it is tantamount to driving a team in opposite directions.

From a trade union standpoint labor bank operations may spell actual danger, as shown in the Coal River Collieries case, purchased by the locomotive engineers' bank. In search for strategic investment the bank knew no better than to buy a mining property in the heart of the non-union West Virginia region. Unable to pay union wage rates and still compete with the neighboring competitors, the labor owned mine dropped to the non-union wage level. As a result the Brotherhood was compelled to engage in an unseemly and self-stultifying public controversy with the United Mine Workers fighting for union conditions.[29]

On the "larger" issue of redirecting capitalism the movement for labor banks, as shown by the engineers' fiasco, was little more rational than the children's crusade against the Saracens, and dealt a blow to the prestige of that powerful union. Labor banks have a place if, like the Amalgamated banks, they are managed more conservatively than capitalist banks and if, far from dreaming of financial supremacy over private industry, they confine

[28] *The Labor Banking Movement in the United States*, pp. 108–110.
[29] *Locomotive Engineers' Journal*, August 1923, p. 625.

themselves to the rôle of a union service institution as a combination of a savings bank and credit union, one of many other service institutions in a modern union. The danger is not only that overenthusiasm will lead to insolvency, but that the time and energy of the union officials will be consumed in making financial decisions at the expense of the less alluring job control activities.

CHAPTER XLIII

AN ERA OF WELFARE CAPITALISM

With the re-election of Coolidge, American capitalism was triumphant not only politically and materially but also spiritually. The spokesmen of capitalism now employed the language of a "Welfare Capitalism," not a "Demand and Supply" capitalism. Welfare capitalism was "scientific." It traced its pedigree to the early experiments of Frederick W. Taylor with time and motion study. But the capitalism of the Coolidge era (with Secretary of Commerce Hoover as the business "scientist" *par excellence*) went beyond Taylor. It developed Taylor's scientific capitalism in two directions. First it transcended the boundaries of the individual establishment in applying the "time and motion" study method to the whole capitalist system. Here its ambition was no less than the control of the business cycle and the reign of permanent prosperity. Second, Welfare Capitalism developed a methodology of labor control far beyond Taylor's mere money inducements. The labor policy of Welfare Capitalism, operating as personnel management, and buttressed by psychological researches of both the laboratory and the "what's on the worker's mind" varieties, attempted to treat the worker as a human being and to approach his problems from his own point of view. It appeared voluntarily to offer to the worker a "fair wage," a reasonable working day, and security from unemployment, from injury to health, and from unjust discrimination, which unionism had always endeavored to obtain for him through "job control." Thus it substituted direct guarantees for those indirectly secured by the union's restrictive rules. Applied all along the line, this policy of "substitution" assured the eight-hour day; more or less accurately determined wage rates safe from arbitrary cuts; profit sharing and stock distribution on favorable terms; hygienic and pleasant shop surroundings; a greater regularity of employment by means of a long distance planning of production; freedom from arbitrary discharge as a result of taking the final power of hiring and firing and disciplining out of the hands of the

foremen and entrusting it to special industrial relations departments; and finally, "group insurance," including life and disability insurance and an old age pension. This general policy of substitution was crowned by the instrumental substitution of the "company union" for historically evolved unionism, carrying out unreservedly the fundamental idea of Welfare Capitalism that the only solidarity natural in industry is the solidarity which unites all those in the same business establishment, whether employer or employee.

Welfare Capitalism, however, was not the main obstacle to the expansion of unionism during the twenties. The period saw a remarkable rise in real wages estimated at about 25 per cent between 1913 and 1926 and arisen independently of union action but due to the deflation of farm prices.[1] Twenty years earlier, when the cost of living was rising, amidst the industrial distress following upon the panic of 1907, the divergence between the agricultural cycle and the industrial cycle seem largely to render futile any efforts by the trade unions to obtain increased wages. Yet, on the whole, it all redounded to the advantage of unions to obtain increased membership. With the barking dog of the rising cost of living steadily at his feet, the wage earner could not afford to be anything but profoundly wage conscious and an attentive listener to the gospel of unionism, especially when satisfactory business conditions dispelled his fear of being thrown out of a job for joining a union. That situation was, in the twenties, completely reversed. Because of the prolonged agricultural depression, retail food prices have stayed on a low level, at about 60 per cent above the 1913 base, while wages, after a temporary partial deflation during 1920–21 on the whole returned to the high wartime level. They were, in 1926, better than double the wages of 1913. Thus the spur to join a union in order to keep wages from lagging behind the cost of living, though an unfailing urge in previous prosperity periods—vanished in the twenties.[2]

The lack of response to the union appeal acted discouragingly on union leaders, contrasting with the social and moral self-

[1] Douglas, Paul H., *Real Wages in the United States, 1890–1926*, pp. 393–394.

[2] The total membership of the American Federation of Labor, between 1924 and 1929, was as follows:

1924	2,984,700	1927	2,919,100
1925	2,995,800	1928	2,938,500
1926	2,879,000	1929	3,040,600

(American Federation of Labor, *Proceedings*, 1932, p. 49.)

confidence of the Coolidge capitalism. Now it was no longer a problem of fighting exploiting employers who through their callous practices were offering labor the opportunity to mobilize public opinion against them, but the problem of tempting business, apparently impregnably entrenched in the public graces, in government favor, and even in the loyalty of the workers, to give organized labor the chance to demonstrate that it too is capable of making a contribution towards the solutions of the problems of capitalism. The name of the temptation held out by organized labor to business was "union-management co-operation."

The star exhibit of union-management co-operation was in the shops of the Baltimore and Ohio Railroad. The initial move came from President Johnston of the International Association of Machinists, converted to the idea by Otto S. Beyer, an engineer on the war-time managerial staff of the Rock Island Arsenal. Johnston first approached the head of the New York Central Railway Company, but met with no encouragement. This was before the shopmen's strike of 1922. Next Johnston and Beyer approached Daniel Willard, President of the Baltimore and Ohio Railroad. Willard was sympathetic, but the situation which culminated in the 1922 strike caused delay. The strike over, the experiment was begun at the Glenwood shops near Pittsburgh, with the consent of the men in the shop. Beyer was in full charge, first as an employee of the machinists' union and later of the Railway Employes' Department.[3]

Under the Plan the facilities of the Glenwood shop were to be utilized to the fullest possible extent. Where formerly the shop operated intermittently, because the building of new locomotives and major repairs went to outside contract shops, the present plan was aimed to insure the maximum employment of the shop personnel by following the rule that Baltimore and Ohio equipment should be produced in Baltimore and Ohio shops. It was assumed that the welfare of the carrier and its employees depended on the efficiency of the service rendered to the public. Hence both sides had a vital interest in co-operating towards the improvement of the service and greater economy in operation and maintenance. The method of rewarding labor's co-operative effort, in addition to more regular employment, was to be worked out as the Plan

[3] International Association of Machinists, *Proceedings*, 1924, pp. 241–243; Wilbur J. Cohen assisted in the preparation of the following section on the machinists.

unfolded. From the Glenwood shop the method was extended to the entire Baltimore and Ohio system. The machinery of co-operation began at the bottom with joint local co-operative committees of representatives of the shop crafts and a like number of local supervisory officers. Every three months the Joint System Co-operative Committee was to convene at Baltimore to pass on the recommendations of the local committees.[4] The questions to be considered covered a wide range of subjects, revolving around improvement of the service and the most efficient utilization of equipment. The suggestions made by the worker representatives were legion, from improved conditions in the workshops aiding the workers' efficiency to kinds of materials to be used and similar matters having no relation to the conditions of the job.[5]

President Willard's widely heralded enthusiasm for the Plan caused other roads to follow suit. The Chicago and North Western Railroad installed the Plan in 1925.[6] The Chicago, Milwaukee, Saint Paul and Pacific Railroad began in 1923 with a local experiment and made the Plan general in 1927.[7] The Canadian National Railway Company under Sir Henry Thornton, adopted the Plan in 1925.[8] Sir Henry was no less restrained in giving expression to his enthusiasm than President Willard.

The union's compensation for its espousal of efficiency was unstinted recognition by the railway companies at a time when their fortunes were at a low ebb, as the enthusiastic spirit of the immediate postwar period had been dampened by defeat. The Plan was the union's counter-reformation to the company union arrangement of the Pennsylvania Railroad Company.[9]

Beyer pointed to the sensational decrease of the number of grievances as evidence of the institutionalization of unionism under the Plan. Grievances on the Baltimore and Ohio decreased from one per 58 employees for 1919–22 to one per 131 employees for the first three years under the Plan. The individual employees benefited not only from improved treatment as evidenced by

[4] "Memorandum of Agreement between Baltimore and Ohio System Federation No. 30 and the Baltimore and Ohio Management Covering Co-operation Programme," in Railway Employes' Department, *Proceedings*, 1926, pp. 69–74.

[5] Wood, Louis Aubrey, *Union Management Co-operation on the Railroads*, Yale University Press, 1931, pp. 143–176.

[6] *Ibid.*, pp. 97–99.

[7] *Ibid.*, pp. 99–101.

[8] *Ibid.*, pp. 5–7.

[9] Railway Employes' Department, *Proceedings*, 1926, pp. 70–71.

this decline in grievances but also in fuller employment. In 1925 the average shop employee had 12 more days of employment than in the preceding year, equal to a 2¼ cents increase per hour.[10]

President Jewell of the Railway Employes' Department, to justify his support of the union-management co-operative program, showed that in 1924 the slogan of "Baltimore & Ohio work for the Baltimore and Ohio shops" had netted the employees of that railroad approximately $350,000 in wages for work that would have been performed in the non-union contract shops.[11] This rejoicing proves, however, that the union leadership had virtually abandoned hope of unionism expanding by its own organizing efforts. Their maximum hope now was that non-union employers might be tempted to invite the unions as an aid to efficiency. If that failed to materialize, they would at least remain undisturbed in the enterprises where they had already been permitted to demonstrate their co-operative spirit. All in all, union-management co-operation was the program of a spiritually defeated unionism.

The "co-operative" roads divided their working forces into two classes, permanent and temporary employees. The permanent employees were promised full time employment; the temporary workers were only employed during prosperity. With the falling off of business in 1930, the Baltimore and Ohio Railroad, in agreement with the unions, rather than discharge any of its permanent employees went over to the five-day week. On the other "co-operative" roads various devices were employed to give the senior employees more regular employment at the expense of the junior employees. The upshot was an intensified tendency to split the wage earning group into a sheltered portion and a casually employed portion.[12] This danger increased in proportion as transition was made from an expanding to a contracting capitalism.

In the machinists' union, which led the shop crafts along the new road of co-operation, the Plan was the paramount issue in the election for president in 1925. It was opposed by a small radical group as "class collaboration," but also by a much larger conservative group which lumped it together with the other "novelties" of the Johnston régime such as labor banking, progres-

[10] Beyer, Otto, "Three Years of the B. & O. Plan," *New Republic*, August 4, 1928, pp. 299–300.

[11] Jewell, Bert, "Recent Extension of Collective Bargaining," *Union Management Co-operation*, pamphlet, p. 5.

[12] Wood, *op. cit.*, pp. 123–126.

sive political action, or the agreement with the Calles administration of Mexico to grant American contracts only to employers in contractual relations with the machinists' union. Johnston was re-elected by a narrow margin. With his resignation in 1926, due to ill health, the union swung away from "novelties," without, however, repudiating the co-operative Plan.

If union-management co-operation on the railways was organized labor's "admission price" to the industry, or more accurately, perhaps, the price for permission to stay in the industry, the Mitten-Mahon contract of 1928 stipulated the union's "price" of admission at a future date. The original Mitten Plan on the Philadelphia Rapid Transit Company [13] was modified by the War Labor Board and again modified in 1922 providing for "gain sharing." In 1926 the gain sharing provision was recast to allow the employees one-half of the management fee of 4 per cent of the gross revenues of the Company.[14]

In 1911, when T. E. Mitten came to Philadelphia, the Amalgamated Association of Street and Railway Employees was on the point of gaining recognition, but it was prevented by the split in the membership.[15] In March 1928, Mitten and President Mahon were brought together by the economist W. Jett Lauck. Mitten was contemplating extending the Mitten Management to other urban transportation systems, and was disposed to enter into more formal relations with Mahon's union on suitable conditions. For the present the arrangements in Philadelphia and Buffalo, both under Mitten management, would be left undisturbed. Should, however, the Mitten Management extend its activities to other cities, Mitten offered to recognize the union provided two-thirds of the employees expressed by secret ballot the wish to be thus represented. In that event, he would grant the check-off of union dues and assessments, and the Mitten Plan would be recast with the union as a recognized partner in efficiency promotion and all other activities. If these changes showed accomplishments equal to those in Philadelphia and Buffalo, then Mitten would reopen the question of recognizing the Amalgamated in these two cities.[16]

[13] See Chapter XXVIII.

[14] Lauck, W. Jett, *Political and Industrial Democracy*, New York, Funk and Wagnalls, 1926, p. 178.

[15] See above, p. 347.

[16] *Motorman and Conductor*, October 1929, pp. 29–32; Lauck, W. Jett, "A New Peace Treaty," *Survey*, May 15, 1928, p. 233.

What Mitten demanded was that the union should agree to a complete redirection of its purpose. Instead of centering on the protection of the worker's job interests, the union was to regard itself first and foremost as an efficiency promoting device. Inevitably the union's protective function would become secondary and its hold on the membership dependent on the employer's support. Another pertinent question raised by the Mitten-Mahon agreement was whether a union should voluntarily withdraw from the field unless it could receive a two-thirds or even a majority support from its potential membership. To be sure, the question of the competitive menace to the unionized town from the non-union towns does not arise in municipal transportation which is local in character. Nevertheless the moral effect of a voluntary withdrawal cannot be disregarded. Furthermore, by becoming a part of the Mitten network of welfare activities the union would *willy nilly* permit itself to be reshaped in an alien mold. In brief, the union would surrender morally and materially to the employer, whose adherence to Welfare Capitalism would still run the hazard either of his own change of mind or of the vicissitudes of internal struggles for corporate control. The Mitten-Mahon contract was perhaps the low water mark of self-confident unionism.

A *rapprochement* between the "new" philosophy of business and the labor philosophy, on the matter of the most efficient functioning of the capitalist system, came out in the wage policy promulgated by the convention of the American Federation of Labor in 1925. High wages were not responsible for high costs, which were charged to inefficient management. At the same time low wages meant low living standards, low workers' morale with consequent impairment of efficiency—in addition to lessening the purchasing power needed to supply industry with a market. Low costs through the use of modern equipment and modern managerial technique would aid the wage earner through increasing the quantity and improving the quality of the goods he consumed.[17] By inference, therefore, it devolved upon labor to make increased industrial efficiency a part of its program. In this new formulation we find labor's time hallowed argument that high wages build prosperity, now re-enforced and disseminated to the business world from the peculiar approach of the Foster and Catchings school of thought, combined with an espousal of "efficiency" to enable the individual

[17] American Federation of Labor, *Proceedings*, 1925, pp. 36, 231–233, 271.

employer to play his part in keeping the business system at high gear. In the fervor of the new discovery the possible effect of unbridled efficiency on the number of job opportunities was forgotten.

The moral prestige of business and its official efficiency gospel told also in the Federation's attitude towards organizing the workers in the automobile industry, the efficient industry *par excellence.*

At the convention in 1926, James O'Connell, President of the Metal Trades Department, sponsored a resolution for the calling of a conference of the International unions with jurisdictions in the automobile industry to launch a wide organizing campaign.[18] Conferences to that effect were held, but the leaders at a showdown saw no other way of organizing than with the employer's consent and approval. In the absence of a true will to organize ready to override the employers' resistance, the campaign failed to get beyond the verbal stage.[19]

The Amalgamated Clothing Workers of America, a socialistic union, joined heartily in the effort to assist well disposed employers to greater efficiency. In 1924 it decided to enlarge its "scope" in that direction.[20] The employer was relieved of many functions of management which were taken over by the union at no cost to him; he was shown economical methods of organizing the flow of work in his shops; he was given commercial advice and in some cases financial assistance from the Amalgamated banks. The new union policy was given a trial in a special shop of Hart Schaffner and Marx set apart for this purpose in April 1925. Here the union took charge of shop discipline. Long established "shop customs," the objects of many a bitter struggle before the arbitration tribunals, were surrendered with enthusiasm to enable a reduction in labor costs. Operations were simplified and though piece rates were lowered, the earnings of those employed improved. The fly in the ointment, to which the usually perspicacious leadership of that union chose to shut its eyes, was the disappearance of a large number of jobs. For instance, in 1924, a tailor shop producing 700 coats a day needed 25 section examiners; in 1929, with the union-sponsored efficiency scheme in full vogue, no more than 13 exam-

[18] *Ibid.*, 1926, pp. 171–173.
[19] *Ibid.*, 1927, pp. 59, 207.
[20] Holland, T. W., "X Plan in the Clothing Trade," *New Republic*, August 7, 1929, pp. 306–308.

iners were needed in a shop producing 1800 coats, or a reduction in the number of such jobs of more than 75 per cent. In 1926, when the Plan had become common through all the shops, the Trade Board allowed the discharge of 150 cutters, rendered superfluous by the more efficient methods, such as the increase in the number of layers of cloth cut simultaneously and the transfer of planning from cutters to lower paid clerks. Each cutter who relinquished his job was paid a compensation of $500 from a fund to which Hart Schaffner and Marx contributed $50,000 and the union $25,000. The employees who retained their jobs increased their earnings as a result of the new Plan. But the total number of jobs was drastically cut, as shown by the reduction in the number receiving unemployment insurance payments in the Chicago "market" during the slack season (such payments went to practically every worker in this seasonal industry) from over 23,000 during the season of November 1924–May 1925 to 15,000 for the same season three years later.[21]

Greater shop efficiency was the inducement to the non-union employer offered by the Amalgamated. The A. Nash Company of Cincinnati had been organized in 1918 to sell direct to the consumer and in 1925 its volume of business reached $12,000,000. The Amalgamated was never able to penetrate into the shops of Nash, who practiced a moderate Welfare Capitalism interlarded with Christian piety. In 1925, officers of the Amalgamated and Nash were brought together by Protestant churchmen. Nash was won over to the "new unionism," but was forced to exert pressure over a portion of his employees, distrustful of unionism and all its works. Nash raised wages and conformed to all other union

[21] The progressive decline in the number employed in the Chicago market is shown by the following table:

Season	Number Receiving Benefit
May 1924–Nov. 1924	over 26,000
Nov. 1924–May 1925	" 23,000
May 1925–Nov. 1925	" 18,000
Nov. 1925–May 1926	" 16,000
May 1926–Nov. 1926	" 16,000
Nov. 1926–May 1927	" 15,000
May 1927–Nov. 1927	" 15,000
Nov. 1927–May 1928	" 15,000
May 1928–Nov. 1928	" 14,000
Nov. 1928–May 1929	" 14,000
May 1929–Nov. 1929	" 14,000

(*Documentary History of Amalgamated Clothing Workers of America*, 1926–28, p. 22; 1928–30, p. 43.)

standards. The union as its part of the bargain lent him its efficiency experts to install the new technique.[22]

The American Federation of Full-Fashioned Hosiery Workers was another progressive union that was impelled to bend its policy to the union employers' competitive exigencies. It had been organized as an independent Federation within the United Textile Workers in 1913, with the prime objective of equalizing wage rates in competitive districts.[23] In 1915 disagreement with the parent organization led to a withdrawal of the Federation.

Between 1915 and 1920, the industry greatly expanded, principally in non-union territory. The Philadelphia union employers, to meet non-union competition, reduced wages 15 per cent in 1920. As the industry continued to expand, stabilization through wage reductions had no appeal to the union. In the strike that followed the Federation of Full-Fashioned Hosiery Workers co-operated with the locals of the same craft that had remained in the United Textile Workers. The strike was a success and it led to the restoration of the federated relationship between both organizations.[24]

The union entered upon a period of prosperity. However, following 1926 the industry's expansion again centered in non-union territory, namely Reading, Pennsylvania, and the South. The disparity in the rates in the union and non-union regions became the union's paramount problem. Between 1927 and 1929, the locals carried on wage bargaining and all uniformity in wage rates ceased.[25]

In 1929 the union employers formed a national association and concluded a national agreement with a uniform rate for knitters in all union mills, and won concessions from the union including the partial doubling up of machines operated by one worker.[26] The following year, with the competitive conditions of the union mills rendered worse by the palpable overexpansion of the industry, the union agreed to a drastic rate reduction. It was hoped that thereby the union employers would be enabled to recapture lost markets.[27] This sacrifice in rates was in vain, as the non-union employers countered by reducing their rates. In September

[22] *Ibid.*, 1924–26, pp. 17–18, 91–99.

[23] Taylor, George W., *The Full-Fashioned Hosiery Worker*, Industrial Research Department, Wharton School of Finance, University of Pennsylvania, Philadelphia, 1931, pp. 68–69.

[24] *Ibid.*, pp. 72, 77–78.

[25] *Ibid.*, pp. 79, 83–84.

[26] *Ibid.*, p. 85.

[27] *Ibid.*, pp. 86, 190–192.

1931 the mills in New York, New Jersey, and New England were tied up by an "insurgent" strike against a new wage cut which, with the previous ones, reached the total of 55 per cent of the 1929 rates.[28] On the falling market of 1930–33 the "flexible" wage policy so greatly extolled by the newer school of union economists in the later twenties, has proved no more efficacious than the unsophisticated "No Backward Step" policy of old line unionism.

Amidst the material and spiritual victories of Welfare Capitalism came two revolts against pioneer schemes of that description. One was a strike in 1926 against the Interborough Rapid Transit Company of New York with its quasi-welfare plan, and the other a revolt in 1927 against the Rockefeller Plan in Colorado.

The Brotherhood of the Interborough Rapid Transit Company Employees [29] was created in 1916 and figured in the strike of that year. In 1920 the constitution was amended to require every new employee to join the Brotherhood and to "accept its obligations as a condition of employment." As a further condition of employment the employees agreed not to join the Amalgamated Association of Street and Electric Railway Employees or any other association rivaling the Brotherhood.[30]

The Brotherhood had more uses to the Company than heading off national unionism. In 1919 its General Committee called a strike for higher wages without a membership vote. The strike was timed with the Company's demand for a higher fare. A Brotherhood committee supported before the Board of Estimate of New York City the Company's demand. The committee decided that the Board's attitude was insulting and ordered a strike to retrieve its honor.[31] It was a short strike and made no permanent rift in the relations between the Company and the Brotherhood.

On July 1, 1926 the contract between the Brotherhood and the Interborough expired. The General Committee of the Brotherhood agreed with the Company to renew the existing wage schedules. But the committee reckoned without the membership. A wage increase had been expected, and the complaisance of their representatives was keenly resented.[32] The discontent soon as-

[28] *Labor Age*, October 1931, pp. 2–3.

[29] See Chapter XXVIII.

[30] *New Republic*, February 29, 1928, p. 58.

[31] *Interborough Rapid Transit Company against William Green, Brief for Defendants*, p. 23.

[32] *New York Times*, July 1, 1926; *Interborough Rapid Transit Company against William Green, Brief for Defendants*, pp. 23, 33.

sumed the proportions of a rebellion against the Brotherhood and resulted in the formation of the Consolidated Railroad Workers of Greater New York. The Consolidated sent a committee to President Hedley of the Company with the demand for a new wage scale.[33]

Hedley took the position that those who had seceded from the Brotherhood had forfeited their employment with the Company, in accord with the terms of the contract between the Brotherhood and the Company.[34] The Consolidated threatened a strike but accepted the suggestion of the transit commission to arbitrate. The Company had nothing to arbitrate.[35] A strike was called for midnight, July 5. The Brotherhood immediately branded it as an "outlaw movement." [36]

On the third day of the strike the management warned the strikers that failure to return to work by July 12 would mean final discharge. The effect was somewhat unexpected by the Company, as one-sixth of the force of the power houses, still members of the Brotherhood, joined the strike.[37] At the expiration of the period of grace, the Interborough brought suits for damages against 62 regarded as leaders.[38] To all endeavors by public officials to induce the Company to meet with the new union, it gave the categorical reply that it could not break faith with the Brotherhood.[39] The walkout continued. By July 21 the strikers despaired of victory but still endeavored to return as a body. The Company refused, and the strike was prolonged another week when lack of support from the outside forced the strikers to capitulate.[40]

The rebellion of the Interborough employees awakened hope in the Amalgamated Association of Street and Electric Railway Employees to recapture the ground lost in 1904. It began a secret organization campaign.[41] Soon the Consolidated Railroad Workers, which had conducted the strike, affiliated with it.[42] This alarmed the Interborough. It applied for a court injunction against the leaders of the organizing campaign. The court complied on December 13, 1926,[43] and in June 1927 the Appellate Court upheld

[33] *New York Times*, July 2, 1926.
[34] *Ibid.*, July 3, 1926.
[35] *Ibid.*, July 4, 5, 1926.
[36] *Ibid.*, July 6, 1926.
[37] *Ibid.*, July 9, 10, 1926.
[38] *Ibid.*, July 14, 1926.
[39] *Ibid.*, July 17, 21, 1926.
[40] *Ibid.*, July 23, 31, 1926.
[41] *Interborough Rapid Transit Company against William Green, Brief for Defendants*, p. 5.
[42] *New York Times*, September 25, 1926.
[43] *Ibid.*, December 14, 1926.

the injunction against the Consolidated Railroad Workers [44] affiliated with the Amalgamated Association of Street and Electric Railway Employees.

In the same month the Interborough signed a new contract with the Brotherhood embodying the old exclusive employment provision. The Amalgamated declared its purpose to continue organization work and demanded a wage increase.[45] The Company's reply was a threat to invoke the application of the injunction granted against the Consolidated to its adopted parent, the Amalgamated. In the meantime, continued discharges of union employees made a new strike probable. It was averted by the intervention of Mayor Walker who extorted from the Interborough the promise to reinstate all men discharged for unionism.[46]

But in reality it was a mere shift of fighting front. On November 1, 1927, the Company applied for an order restraining the American Federation of Labor and the Amalgamated Association of Street and Electric Railway Employees from organizing its employees. The application cited the Company's agreements of March 30, 1927, and of June 30, 1927, with the General Committee of the Brotherhood, whereby each member of the Brotherhood obligated himself to a two years' term of employment during which he agreed not to join any organization rivaling the Brotherhood.[47]

The American Federation of Labor accepted this legal challenge. In an elaborate Brief, both legal and economic in character, it brought together the opinions of outstanding legal and economic authorities on company unions and national unionism. The Brief challenged the validity of the Company's agreement with the Brotherhood, on the ground of lack of consideration. The contract, the Brief insisted, was secured under duress, as those refusing to sign the contract and to accept the constitution of the Brotherhood were threatened with discharge. The contract was held to be fraudulent, for although it claimed to establish collective bargaining it was generally known that the Brotherhood and its committees were mere tools of the Company. The constitution of the Brotherhood had never been voted on by the employees. Further, the two-year contract was harsh and inequitable. The

[44] *Ibid.*, June 25, 1927.
[45] *Ibid.*, June 12, 19, 1927.
[46] *Ibid.*, July 18–31, 1927.
[47] *Interborough Rapid Transit Company against William Green, Brief for Defendants*, 1928, p. 5.

Amalgamated never contemplated a strike and the Company had adequate remedies at law for the alleged misconduct of the union officers.[48]

On January 10, 1928, the Interborough Company received a setback when the Court of Appeals reversed the decisions of the Supreme and Appellate Courts of New York county granting the restraining order against the Consolidated Railroad Workers. The Court held that the employees had not made any "express promise" to the Interborough but that there was only an "understanding." The union therefore was entitled to solicit membership as long as intimidation was avoided.[49] The following month, Supreme Court Justice Wasservogel denied the Interborough's application for a restraining order against the American Federation of Labor and the Amalgamated. The court reduced the agreement with the company union, nominally for two years, to one merely at will. Further the Interborough's contract with the Brotherhood was adjudged unfair, and the Company not entitled to equity protection.[50] The Company failed to appeal the decision.

The litigation ended in the union's favor. However, the economic power of the Interborough sufficed to maintain the *status quo*. The incident acquires significance as a rebellion against employer domination within a company union and as an indication of a beginning of change in legal opinion towards the so-called "yellow dog" contract and company unionism.

But the more significant uprising of labor against capitalism's solution of the labor problem came with the miners' strike in Colorado in 1927. The Rockefeller Industrial Representation Plan, introduced after a bloody struggle [51] in the mines and mills of the Colorado Fuel and Iron Company, had been in operation for over a dozen years, having successfully withstood the contagion of the intense militancy of the general miners' movement during the postwar years. The first inkling that the wall built around the Colorado miners by the Plan was beginning to crumble came in August 1927 when 6000 of the 12,000 miners in the State participated in the two-day protest strike called by the I. W. W. against the execution of Sacco and Vanzetti. They returned to work on

[48] *Ibid.*, pp. 6–9.

[49] *New York Times*, January 11, 1928; *Interborough Rapid Transit Company* v. *Lavin*, 247 N. Y. 65 (1928); Frankfurter and Greene, *op. cit.*, p. 40.

[50] *New York Times*, February 16, 1928; Frankfurter and Greene, *op. cit.*, p. 42.

[51] See Chapter XXVII.

the third day upon assurance of no discrimination. The operators, mindful of the violent resistance by the United Mine Workers in 1913–14, were not alarmed by the invasion by the I. W. W., as it might serve to divide "underground" leadership and rid the fields of the threat of unionism.

The I. W. W., however, had plans of its own, which included co-operation with the remnants of the United Mine Workers and the Colorado labor movement. It called a miners' convention to frame demands to be presented to the State Industrial Commission, with a threat to strike after 30 days, thus keeping within the Colorado law. The demands were for the restoration of the daily wage of $7.50; recognition of mine committees and the miners' State executive board; the enforcement of the check-weighman law and the eight-hour day and other mining laws; and the opening of the camps to union organizers. The Commission, taken by surprise, ruled the strike illegal, denying that the committee bringing the demands was representative of the miners.[52]

The strike began on October 18, 1927, and by the middle of November about 10,000 of the 12,000 miners were out. As the strike was declared illegal by the Commission, the Governor sought to prevent picketing through mass arrests.[53] An offer of a 50 cents wage increase proved impotent to lure the men back to work.[54]

On November 21 the bloodiest encounter of the strike occurred, at the entrance of a mine owned by the Rocky Mountain Fuel Company, between the State police and the strikers. The miners had held meetings on the property of that Company without molestation. This time, contrary to the wishes of the management, which did not share in the belligerent attitude of the other operators, the State police after a warning opened fire on unarmed miners, killing six and wounding 20.[55] On January 12, 1928, the local police of Walsenburg, in co-operation with the State police, fired on a parade killing one and wounding two.[56] As the New

[52] Report of the Weld County Ministerial Association's *Special Committee to Investigate the Strike*, pamphlet.

[53] *Greeley Tribune*, October 31, 1927.

[54] *Ibid.*, October 31, 1927.

[55] *New York Times*, November 22, 1927; *The War on the Colorado Miners*, American Civil Liberties Union, pamphlet, 1928; letter of Vice-President Merle Vincent to Rev. George L. Collins, of the American Civil Liberties Union; *Greeley Tribune*, December 31, 1927.

[56] *New York Times*, January 13, 1928.

Year came, the strikers' resistance was wearing down. Outside relief was scant. Many were returning to work and the members of the I. W. W. who had flocked to the Colorado mines, were leaving. In the Colorado mines as a whole the strike resulted in a deeper feeling of hatred and bitterness between the operators and the strikers and in the exposure of the hollowness of the claims of the Rockefeller Plan.

But the strike also gave birth to a rival Colorado Industrial Plan in which the United Mine Workers played a vital part. The Rocky Mountain Fuel Company, the second largest mining concern in Colorado, came under the control of Josephine Roche at the height of the strike. Liquidating other parts of her inheritance, she bought out a majority of the stock and transformed its labor policy. The bloody encounter in front of one of her mines took place before she had had a chance to take direct hold of affairs. She proposed to the United Mine Workers, who after the exit of the I. W. W. was the sole labor organization in the field, a plan of a democratic industrial government based on a full recognition of their organization.[57]

The agreement was concluded in October. It comprised the usual stipulations in miners' union agreements, with two novel features.[58] One was the establishment of a medical and sanitary department to look after the injured, child health, prevention of disease, pre-natal care of miners' wives, and improved sanitation. The second was the recognition of the duty of the miners to co-operate with management towards a maximum efficiency. To make such co-operation as palatable as possible, John R. Lawson, who as the leader of the strike of 1913–14 had been sentenced to death but pardoned, was made Vice-President of the Company.[59] This Rocky Mountain Fuel Company co-operative plan not only proved its ability to survive the depression, but the unabated enthusiasm of the miners for the arrangement was strikingly demonstrated when they agreed to a substantial reduction in wages, in order to meet non-union competition.

The subordination of the philosophy of labor to the philosophy of business was expressed not alone in the acceptance by unions of the employers' efficiency gospel in contradiction to their own

[57] *Ibid.*, March 18, 1928.

[58] *Agreement by and between the Rocky Mountain Fuel Company and the United Mine Workers of America*, published by District No. 15, pamphlet, Pueblo, 1928.

[59] *Colorado Labor Advocate*, July 26, 1928.

job consciousness, in union-management co-operation agreements, but also in their imitating the methods of corporate business management in the administration of their own internal affairs. As in business corporations authority flows from the top to the bottom, so H. H. Broach of the International Brotherhood of the Electrical Workers of America, first as "receiver" for the New York locals and after 1928 International President, introduced business efficiency methods modeled on the corporate plan of government. Broach's reforms were at first most successful, getting for the New York membership the 40-hour week, but the abolition of democratic checks soon wrought its Nemesis in a return of the disunity Broach had sought to abolish, and in his becoming the target of charges of corruption and graft.

In 1926 the New York electrical workers' local with about 8000 members found itself forced to appeal to the International for aid in negotiating a contract. H. H. Broach, an International Vice-President, was sent to aid them. Under his deft handling an agreement was signed.[60] While in New York, Broach was shocked by the demoralized and corrupt state of the local union. As the officers remained deaf to his pleas for reform, he took action.[61] He secured about 500 affidavits charging the president and 16 other officers with permitting contractors to employ simultaneously union and non-union crews, with receiving monthly subsidies from some contractors, with allowing incompetent men into the union, and with compelling the payment of bribes by applicants for membership.[62]

The accused officials refused to answer the summons of the International office and applied for a court injunction against the International officers. The court upheld their contention that their trial for violation of union rules must be held in New York.[63] However, the violations were so flagrant that the New York local voted to expel eight of the accused for life and suspended the nine others for periods ranging from two to five years.[64] At the same time the union obtained a court order protecting the treasury from the old officials and later the court upheld the verdict by the union.[65]

[60] International Brotherhood of Electrical Workers, *19th Biennial Convention*, 1927, p. 126.
[61] *Ibid.*, p. 126.
[62] *New York Times*, December 22, 1926.
[63] *Ibid.*, December 28, 1926.
[64] *Ibid.*, January 14, 1927.
[65] *Ibid.*, August 11, 1927.

Broach now became the "receiver" of the New York union. He determined to drive "politics" from the union by strengthening the executive. Business agents ceased to be elected by the membership and were appointed by the "business manager." Although such appointment had to be ratified by the membership, the "business manager" could summarily discharge the business agents with no appeal to the membership.[66] Freed from the tyranny of factions and cliques the executive could act with the general interests of the union in view. The business agents, no longer protected by politics, had to "stand up and deliver." [67] Other problems which plagued the union were dual unions set up by the expelled officers and the older plague of a peculiar hybrid of trade and "company" union. Employers had developed the practice of forming clubs of the older members in their employ, giving them privileges of seniority upon the foremen's recommendation.[68]

Having restored order in the union, Broach assumed the offensive. Whereas formerly several of the large employers controlled the politics of the union, now the union assisted a friendly slate to gain office in the Electrical Contractors' Association.[69] The newly elected Association officers proceeded to negotiate a contract granting the five-day week and a 10 per cent increase in wages, and rather than go back upon its agreement, the Electrical Contractors' Association resigned from the Building Trades Employers' Association.[70] However, three of the large contractors, who formerly had controlled the union politics, remained with the Building Trades Employers' Association, refusing to recognize the new agreement. Broach called a strike against them. They retaliated by putting members of a dual electricians' organization at work under police protection. Thereupon the Building Trades Council made the strike against these employers general.[71]

On May 4, 1929, the Building Trades Employers' Association granted to the 150,000 building tradesmen of New York the five-day week and a 10 per cent increase in wages, effective August 24, 1929.[72] The employers claimed that they made this concession on condition that the Building Trades Council with-

[66] Broach, H. H., *Union Progress in New York*, International Brotherhood of Electrical Workers of America, 1930, pp. 9–13.
[67] *Ibid.*, p. 10.
[68] *Ibid.*, pp. 22–23.
[69] *New York Times*, May 4, 1929.
[70] *Ibid.*, May 5, 1929.
[71] *Ibid.*, May 6, 1929.
[72] *Ibid.*, May 5, 1929.

draw its support from Broach's union. The officials of the Building Trades Council denied that this was the stipulation.[73]

Having failed to isolate Broach, the employers now felt that they had granted the concession to no purpose. On May 13, the Board of Governors of the Building Trades Employers' Association revoked the five-day week and the wage increase, and declared a general lockout effective May 15. The employers demanded the end of the sympathetic strike against the electrical contractors at war with Broach's union. The Building Trades Council insisted that it would not sanction work with non-union men or members of dual unions; furthermore it regarded the use of the police to protect non-union workers on the job a hostile move against all the building trades.[74]

Before the lockout went into effect, the United Cement and Concrete Workers' Union appealed to the courts for an order forbidding the lockout. On the day before the lockout, Broach offered to supply union electricians to the contractors with whom his union was in dispute, provided they discharged their strikebreakers and guards. He would not suffer the other building trades to undergo a loss of wages on account of a dispute involving his union.[75] Not to be outdone in generosity, the Building Trades Employers' Association responded to the urging of the judge before whom the injunction was being argued, and agreed to arbitrate the differences between the electrical contractors and Broach's union. What was more important, it agreed that the five-day week and the wage increase should go into effect on August 24 in accord with the earlier agreement.[76]

Early in August, a dispute between the electricians and several of the anti-union contractors broke out again. The electricians refused to hang fixtures assembled by non-union men.[77] Again the Building Trades Employers' Association recalled its agreement to grant the five-day week and the 10 per cent wage increase.[78] Here the Building Trades Council intervened, ordering the electrical workers to arbitrate their differences with the fixture concerns. The electricians obeyed and finally, on August 24, 1929, the new wage and hour schedule went into effect.[79]

With peace assured Broach turned to reforming the union on

[73] Broach, *op. cit.*, pp. 32–33.
[74] *New York Times*, May 14, 1929.
[75] *Ibid.*, May 15, 1929.
[76] *Ibid.*, May 23, 1929.
[77] *Ibid.*, August 4, 1929.
[78] *Ibid.*, August 3, 1929.
[79] *Ibid.*, August 8, 13, 1929.

an efficiency model. He established an Engineering and Research Department to gather facts about the trade, to act as consultant to union and employers alike, and to plan for the future.[80] To simplify union politics the helpers were disfranchised and compelled to attend night school under the supervision of a union paid instructor. Each employer was obliged to agree to keep the apprentices assigned to him continuously for at least three years. Journeymen deemed insufficiently competent by contractors were obliged to go to school for additional training and to submit to a proficiency test by a board selected by the union.[81]

Broach's efficiency régime overshot the mark. The membership had helped him to clean house. His emphasis on workmanship and training was also accepted without protest. But his "efficiency" in union government was quickly seen as tyranny. His favorite method was debarring recalcitrant members from business meetings, thus destroying every opposition however legitimate. The resentment against Broach's methods burst forth in the organization of a Committee for the Restoration of Union Rights in January 1932. The Committee sought to compel a new election of officers, claiming that the Broach group, in office since June 1929, had prolonged their term, and vigorously demanded a financial accounting.[82]

The Broach Administration struck back. Fourteen of the insurgent leaders were tried on the charge of discussing union business outside of union meetings. To set an example one of the accused was fined $300, suspended from the union for a year, and his discharge by his employer demanded. The employer, the *New York Times*, refused to comply. A month later the same electrician was waylaid and assaulted under suspicious circumstances. Another group of dissatisfied members under the designation of the New Deal Group filed suit against the Broach officers demanding an accounting of the $2,800,000 collected in dues and assessments.[83]

On March 16, the suit came before Judge Glennon of the Supreme Court of New York county. The affidavits of the plaintiffs made against Broach the additional charges of playing favorites in allotting jobs and of collusion with a few favored contractors designed to harass competitors and to monopolize the

[80] Broach, *op. cit.*, pp. 49–52.
[81] *Ibid.*, pp. 58–62.
[82] *New York Times*, January 22, 1932.
[83] *Ibid.*, February 19, 1932.

most profitable contracts.[84] On the original charge of refusal to render an accounting, the affidavits cited that the income of the union had been increased through the raising of dues from $28.80 to $108 a year, totaling about $900,000. Initiation fees had been raised from $150 to $300, producing an annual income of $150,000; in addition a 50 cents penalty for every hour of overtime was imposed, netting $300,000; and finally $200,000 were levied in fines. All in all the income of the New York local was set at about $1,500,000 per year, or almost five times the income preceding the Broach régime.[85] The court granted a temporary writ restraining the officers from harassing the plaintiffs.[86] One week later Supreme Court Justice Peter Schmuck ordered the union to restore the same plaintiffs to full membership, to cancel their $300 fines, avoid interfering with their employment opportunities or prevent them from airing the affairs of the union outside the union hall.[87] Justice Ford further ordered the officers to show cause why they should not have their books examined, and specifically cited the expenditure of $2,000,000 by an unauthorized organization committee which had never accounted for the money.[88]

At the hearings before the court the president of the local admitted that between 1927 and 1932 considerably more than $1,000,000 had been spent by an organizing committee without any authorization.[89] Broach's officers, picked for "efficiency," made queer admissions of destroyed check books, stubs, and canceled vouchers for the $1,500,000 expended by this mysterious committee; of quarterly auditors' reports omitting the mention of any specific items; [90] and of enormous lawyers' fees, one lawyer receiving $528,000 in three years.[91] The disclosures strengthened the revolt of the New Deal group. In the middle of 1932 the Administration slate was partially defeated. "Efficiency" in unionism conjured to cure the evils of "politics," ended by sinking in the same morass. Imitating the methods of government current in business, produced results no better than the worst abuses under a union democracy.

The spread of racketeering in the labor movement was another symptom of its moral letdown. Although the actual amount of

[84] *Ibid.*, March 17, 1932.
[85] *Ibid.*, March 17, 1932.
[86] *Ibid.*, March 31, 1932.
[87] *Ibid.*, April 7, 1932.
[88] *Ibid.*, April 14, 1932.
[89] *Ibid.*, May 3, 1932.
[90] *Ibid.*, May 19, 1932.
[91] *Ibid.*, May 20, 1932.

racketeering has been greatly exaggerated, that which existed tended to take on a more virulent form and several times forced the intervention of the courts. The racketeering of the twenties was a new species: The racketeer employed the union solely as an instrument for private gain, and therefore differed from Sam Parks and his kind who successfully raised the standards of pay of the membership while enriching themselves by blackmailing the employers. A distinction should also be drawn between racketeering practices infesting a genuine union and the much more frequent racketeering by "leaders" of bogus unions set up by them for the sole purpose of exploiting a membership driven to join by terroristic means.[92]

A flagrant case was that of Sam Kaplan, business agent of the New York Motion Picture Operators' Union, who in November 1932 had sole charge of a fund of $1,250,000 built up from dues and arbitrary assessments, and who admitted having received between 1926 and 1931 $55,000 in "gifts" from the local membership, in addition to his yearly salary of $22,000 as president and organizer of his local.[93] Kaplan was removed from office by the International headquarters in November 1932, after a long campaign.[94] Court receivers were appointed for the local. Kaplan and nine of his underlings were later convicted of coercion.[95]

Theodore Brandle, president of the New Jersey Building Trades' Council and business agent of the iron workers' local in New Jersey, was also a director of the employers' Iron League, headed by an anti-union contractor, and drew a yearly gift of $10,000 from it, in addition to being president-treasurer of a bonding company.[96] The charges of racketeering against Brandle were heard by the Executive Council of the American Federation of Labor, but it refused to intervene for lack of jurisdiction. The evidence was transmitted to the head of the International Association of Bridge and Structural Iron Workers, of which Brandle was an International Vice-President. Brandle was compelled to resign by his local, by a vote of 359 to one.[97] Later he and four other leading figures in the New Jersey iron workers' unions were ousted by

[92] See Chapter VIII.
[93] *New York Times*, March 3, 1933.
[94] *Ibid.*, December 1, 1932.
[95] *Ibid.*, June 5, 1933.
[96] *Ibid.*, June 24, 1933; Budenz, Louis France, "Czar Brandle: A Study in 'Success,'" *Labor Age*, June 1932, p. 15.
[97] *New York Times*, March 2, 1933.

the Executive Board of the International Association of Bridge and Structural Iron Workers.[98]

Local 125 of the International Union of Operating Engineers was placed in receivership by the courts, which ordered its president, Patrick J. Commeford, to return more than $15,000 in cash and bonds belonging to the union. Commerford was also convicted of income tax evasion and sentenced to prison.[99]

On the whole the strictly racketeering unions were not as numerous as claimed either by anti-union employers or by "left wing" critics of the American Federation of Labor, To go back to the Molly Maguires [100] of the seventies, a terrorist secret organization sprung up after the open union of the anthracite miners had been crushed, and designate it as the prototype of the modern racketeers, without any shred of evidence of pecuniary gain accruing to the perpetrators of the terroristic acts, is to confuse labor violence with racketeering. It is highly significant that Gordon L. Hostetter, the secretary of the Chicago Employers' Association, a determined enemy of organized labor, cites in his book, *It's a Racket*, but few unions affiliated with the American Federation of Labor as engaged in racketeering.[101] In fact most of the unions classed as racketeering were in the service trades, notoriously the victims of cut-throat competition, in which, with price fixing prohibited by law, the racketeer was able to gain a foothold under the pretense of effecting a stabilization of competition. Prohibition of the liquor and beer traffic was another factor making for racketeering in so far as it bred a class of militarized business adventurers in the bootleg trade. In their normal search for business expansion, they invaded the service trades and tried to invade the unions. The urge to capture the unions became especially strong with the depression which cut down the gains from bootlegging. Public opinion, so easily turned against organized labor, has rarely appreciated the buffer rôle played by the unions in resisting this invasion.

[98] *Ibid.*, June 24, 1933.

[99] *Ibid.*, February 8, April 4, 1933.

[100] Adamic, L., "Racketeers in Organized Labor," *Harper's Monthly*, September 1930, p. 404.

[101] Hostetter, Gordon L., and Beesley, Thomas L., *It's a Racket!* Leo Quin Books, Incorporated, Chicago, 1929, pp. 29–61.

CHAPTER XLIV

STRUGGLING AGAINST DECLINE

While Welfare Capitalism was successfully erecting its material and psychological barriers to unionism, in one geographical section, in the newly industrialized South, the arena remained sufficiently old fashioned to engender the hope of conquest by organized labor. To many unionists a successful Southern campaign would bring convincing evidence of immanent vitality in the American labor movement as well as a stimulus to renewed energy on all sectors of the front. The American Federation of Labor determined upon an immediate Southern drive at its convention in 1928.

Between 1880 and 1920 the number of wage earners in manufacturing industries in the Southern states increased from 318,000 to 1,420,000, or 350 per cent. The dominant industry was cotton textiles and its labor came from the heretofore untouched reservoirs of the mountain white and farm tenant classes.[1] After a feeble start in the eighties by the Knights of Labor [2] a more serious effort came about 1900, when the National Union of Textile Workers, later merged with the United Textile Workers of America, established nearly 100 locals in the South. After a number of strikes and lockouts, the movement collapsed.[3]

The war accelerated the migration of the textile industry from New England to the South. Northern capital was attracted by low taxes, cheap power, proximity to raw material, plenty of cheap labor, the absence of labor laws, a longer working week, and freedom from trade unionism.[4] Labor standards in the North were endangered, and in 1919 the United Textile Workers invaded the South, setting February 3 as the date for the inauguration of the 48-hour week. Prosperity aided a favorable response from the Southern mill workers. But before any tangible results were

[1] Evans, Mercer G., "Southern Labor Supply and the Working Conditions in Industry," *Annals of the American Academy of Political and Social Science*, January 1931, pp. 156–159.

[2] Mitchell, George Sinclair, *Textile Unionism in the South*, Chapel Hill, 1931, pp. 24–25.

[3] Schwenning, Frank T., "Prospects of Southern Textile Unionism," *Journal of Political Economy*, December 1931, p. 783; Mitchell, G. S., *op. cit.*, pp. 28–39.

[4] *New York Times*, May 19, 1929.

obtained the depression of 1920 forced the newly organized mill hands to fight losing battles against wage cuts. By 1921 the Southern textile industry had relapsed to an unorganized state.[5]

Half a dozen years of quiet ensued. In the summer of 1927 a walkout at Henderson, North Carolina, showed a smoldering flame underneath a peaceful surface. In the fall of 1927 the Piedmont Organizing Council was formed of representatives of a dozen or more trades in a number of cities in the Piedmont section of North Carolina. In October 1928 a conference of delegates from six Southern states met at Chattanooga, Tennessee, to discuss a plan of organization.[6] In 1928 the convention of the American Federation of Labor took the matter up and bespoke the co-operation of all unions in this effort.[7]

The revived attempt to organize the South came at a time when Southern textile employers were introducing the "stretch-out" system, under which the number of looms under the care of one weaver was raised from 20 to as many as 100. To be sure the weaver was relieved of a part of the manual labor he formerly performed, but the complaint of speeding up was widespread.[8]

The first large scale Southern labor dispute of the period was a strike on March 13, 1929, by the 3500 employees of the American Glanzstoff Rayon Company at Elizabethon, Tennessee, for higher wages.[9] These were joined by the 2000 employees of the Bemberg plant, under the same control.

The strike was a spontaneous walkout. Two hundred girl-strikers paraded through the streets with banners, "Eight Dollars a Week is Slavery." [10] Alfred Hoffman, representing the United Textile Workers of America and a graduate of Brookwood, and Mathilda Lindsay, of the Women's Trade Union League, soon arrived to take charge.[11] The National Guard of Tennessee protected the rayon plants.[12] Federal mediators brought about a temporary peace settlement providing for no discrimination at

[5] Schwenning, *op. cit.*, p. 783; Mitchell, *op. cit.*, pp. 51–54.

[6] American Federation of Labor, *Proceedings*, 1929, p. 269; Schwenning, *op. cit.*, p. 784; Mitchell, *op. cit.*, p. 64.

[7] American Federation of Labor, *Proceedings*, 1928, p. 290.

[8] Stark, Louis, "The Meaning of the Textile Strike," *New Republic*, May 8, 1929, pp. 323–324; *New York Times*, May 19, 1929.

[9] Eberling, Ernest J., "The Strikes Among Textile Workers in the Southern States," *Current History*, June 1929, p. 451; *Nashville Tennessean*, March 14, 1929.

[10] *Nashville Tennessean*, March 15, 1929.

[11] Mitchell, *op. cit.*, p. 68.

[12] *Nashville Tennessean*, March 19, 1929.

rehiring and an increase of 5 to 15 per cent for men and 11 per cent for women.[13]

The peace was broken in the night of April 4, 1929, when two organizers, Edward McGrady, of the American Federation of Labor and subsequently First Assistant Secretary of Labor in the Roosevelt Administration, and Albert Hoffman of the United Textile Workers, were seized by a mob, carried out of town, and ordered not to return to Elizabethon under penalty of death.[14] Both immediately returned and were welcomed at a meeting of 3000. President William Green arrived and pledged the aid of the American Federation of Labor in bringing the mob to justice.[15]

Ten days later the discharge of the grievance committee precipitated a new walkout. The union asserted discrimination in nearly 300 cases. Two companies of National Guardsmen returned.[16] To circumvent the State law which forbade the calling out of the militia, except by legislative authorization, the troops were sworn in as special deputies, although furnished with arms and uniforms by the State.[17]

The district court enjoined picketing, and during the first week between 600 and 700 strikers were arrested for defying the injunction. More mass arrests followed.[18]

Government conciliators effected another settlement on the promise of open review of discrimination complaints.[19] A new personnel director avoided the crude methods of his predecessor and installed a welfare plan including a company union. Another call to strike in March 1930 failed.[20]

The communists, too, tried to invade the Southern textile region. They came to Gastonia, North Carolina, under the leadership of the National Textile Workers' Union.[21] The largest plant in Gastonia, the Loray mill, was owned by the Manville-Jenckes Company, a Rhode Island concern. After a secret organizing campaign a strike was called on April 1, 1929, with 1700 of the

[13] Nashville *Labor Advocate*, March 29, 1929; *Textile Worker*, June 1929, p. 135; Eberling, *op. cit.*, p. 452.
[14] *Nashville Tennessean*, April 5, 1929.
[15] *Ibid.*, April 6–8, 1929.
[16] *Ibid.*, April 16, 1929.
[17] *Textile Worker*, May 1929, p. 97.
[18] Raleigh *News and Observer*, May 15, 25, 1929.
[19] Nashville *Labor Advocate*, May 11, 1929.
[20] Mitchell, *op. cit.*, p. 70; Tippett, Tom, *When Southern Labor Stirs*, Smith, New York, 1931, pp. 73–75.
[21] See Chapter XL for the change in the communist's trade union policy.

2200 employees responding.[22] The strike was for a forty-hour and five-day week, a minimum wage of $20.00, abolition of speeding up, and equal pay for women and young workers. Several companies of militia arrived.[23]

Soon the Company announced that all strikers would be evicted from the Company houses. In the third week of the strike a mob of several hundred masked men descended upon the strike headquarters, overpowered the ten striker guards, and destroyed the building.[24] The strikers were losing ground. Those evicted from the Company houses were living in a tent colony organized by the National Textile Workers' Union. On the evening of June 7 police officers, led by Chief of Police Aderholt, attempted to enter the colony. The striker guards demanded a search warrant. In the ensuing altercation shooting began, resulting in the killing of the chief of police and the wounding of a striker and two policemen.[25] About 100 strikers were imprisoned. Eleven men and 3 women were held on charges of murder, and 8 were charged with assault.[26] A change of venue was granted.[27] Meantime the Manville-Jenckes Company reduced hours from 60 to 55 without a reduction in pay and was followed by a majority of the other mills.[28]

The first trial ended in mistrial, due to the illness of a juror. At the second trial the charge was changed to second degree murder, and nine of the defendants, for the most part local people and women, were dismissed. After a three weeks' trial the jury speedily found seven defendants guilty of second degree murder. The sentences ranged from terms of five to 15 years to terms of 17 to 20 years, the defendants from the North receiving the heaviest sentences.[29]

During the trial a mob made short work of the communist headquarters at the seat of the trial and severely assaulted an organizer.[30] A mob also overtook a group of strikers heading for Gastonia and killed one of their number, a mother of five.[31] The grand jury refused to indict. The Governor intervened and 14 were held for trial, only to be acquitted.[32] The convicted com-

[22] Vorse, Mary Heaton, "Gastonia," *Harper's Magazine*, November 1929, pp. 701–702.
[23] Raleigh *News and Observer*, April 4, 6, 1929.
[24] *Ibid.*, April 19, 1929.
[25] *Ibid.*, June 8, 1929.
[26] *Ibid.*, June 19, 1929.
[27] *Ibid.*, August 10, 1929.
[28] *Ibid.*, August 10, 1929.
[29] *Ibid.*, August 26, to October 22, 1929.
[30] *Ibid.*, September 11, 1929.
[31] *Ibid.*, September 16, 1929.
[32] *Ibid.*, November 7–9, 1929; February 25 to March 1, 1930.

munists failed to appear after their sentence had been upheld by the North Carolina Supreme Court, and their bonds were forfeited.[33] Thus ended the communist invasion of the textile region in the South.

The strike against the Marion Manufacturing Company, at Marion, North Carolina, began on July 11, 1929, with the Company's refusal to grant ten hours with no reduction in pay.[34] A month later the employees of the Clinchfield Manufacturing Company at Marion struck in protest against the discharge of 150 union men and for the reduction of one hour in the working day of 12 hours and 20 minutes.[35]

The strikers, disregarding a temporary injunction against picketing notwithstanding the presence of State troops, finally agreed that old employees wishing to return to work could do so unmolested, on condition that the companies imported no outside strikebreakers.[36] Clashes occurred nevertheless and the National Guard was called upon to preserve order.[37] Finally both corporations agreed to rehire the strikers and to adopt the 55-hour working week at the old wages, the question of the hours to be voted on by the employees six weeks after the settlement.[38]

Less than a month later the mill workers again struck on the question of discrimination. A picket line was formed around the Marion mills, as the day shift left their jobs, to apprize the night shift of the new strike. The sheriff rushed to the scene, and ordered his deputies to fire at the unarmed pickets. Three were killed, and 21 wounded, two of whom died later. The majority of the dead and wounded were shot in the back while fleeing.[39]

The State militia was rushed to Marion, and the sheriff, ten deputies, the superintendent of the Marion Manufacturing Company, and three of his employees were charged with murder. Thirty-two strikers were arrested and charged with rebellion and resisting an officer.[40] The strike gradually lost its force, and on November 11, 1929, the troops were withdrawn from Marion. Several weeks later evictions of strikers began.[41] In the middle of November four of the strike leaders were tried for rioting and insurrection. They were released on these charges, but immedi-

[33] Tippett, *op. cit.*, p. 108.
[34] Raleigh *News and Observer*, July 11, 1929.
[35] *Ibid.*, August 29, 1929.
[36] *Ibid.*, August 21, 1929.
[37] *Ibid.*, August 30, 1929.
[38] *Ibid.*, September 6–11, 1929.
[39] *Ibid.*, October 3, 4, 5, 1929.
[40] *Ibid.*, October 4, 1929.
[41] *Ibid.*, October 18, November 7, 11, 1929; Tippett, *op. cit.*, pp. 159–163.

ately rearrested and convicted of rioting and resisting an officer. The leader of the Marion strike, Alfred Hoffman, who, as an organizer for the United Textile Workers had figured in Elizabethon, was sentenced to serve 30 days and fined $1000. The three other defendants were sentenced to six months in jail.[42] The sheriff and deputies indicted for murder were acquitted by the jury on the ground of self-defense against the unarmed pickets.[43] The United Textile Workers of America was no more successful than the communists in gaining a foothold in the South.

Walkouts occurred also in South Carolina, occasioned by the same conditions. These strikes were unaccompanied by dramatic incidents. In some of these walkouts the strikers refused outside leadership. Some successes attended these walkouts.[44]

The South Carolina legislature appointed a committee to investigate mill conditions and its report placed the blame on management, especially on the "stretch out" system.[45] Further strikes occurred in South Carolina after the report of the committee and were mostly compromised. A seven weeks' strike in Ware Shoals, led by the United Textile Workers, evoked mob action against the union organizer and ended in failure.[46]

Encouraged by the wave of unorganized walkouts, the United Textile Workers called a meeting in South Carolina on September 29, 1929, to plan a concerted drive.[47] The convention of the American Federation of Labor in 1929 ordered the calling of a conference of international unions to devise a program of action in the Southern campaign.[48] The meeting was held on November 14, and it was decided that each organization pledge itself to assign at least one organizer to the South to aid the United Textile Workers.[49] On January 6, 1930, a conference of Southern labor leaders met under the chairmanship of President Green at Charlotte, North Carolina.[50] The strength of the whole labor movement was to be placed behind the Southern campaign. How-

[42] Raleigh *News and Observer*, November 13, 22, 23, and December 2, 1929.
[43] *Ibid.*, December 11–23, 1929.
[44] Mitchell, *op. cit.*, p. 79; Charleston, South Carolina, *News and Courier*, March 28, 30, April 2, 1929.
[45] *News and Courier*, April 5, 1929; Raleigh *News and Observer*, April 5, 1929.
[46] Raleigh *News and Observer*, April 11, 1929; *Textile Worker*, July 1929, p. 204; Mitchell, *op. cit.*, p. 81.
[47] *Textile Worker*, October 1929, pp. 409–412.
[48] American Federation of Labor, *Proceedings*, 1929, pp. 266–283.
[49] Nashville *Labor Advocate*, November 22, 1929.
[50] *Textile Worker*, January 1930, p. 583.

ever, the apathy of the international unions proved that the rejuvenation of the American labor movement was not yet to be.

The most determined effort by the United Textile Workers was in the strike at Danville, Virginia, in the fall of 1930. The Riverside and Dan River Cotton Mills, the largest cotton goods mill in the South, employed about 4000 men and women. It was owned by native Virginians who practiced Welfare Capitalism with a company union of the Leach industrial democracy type, dating back to 1919. In 1929 the Company for the first time declared dividends out of surplus. The question of a 10 per cent wage reduction was placed before the two "houses" in January 1930. The "senate," the foremen's chamber, was won over by management, but the "house of representatives" vetoed the proposal.[51]

The wage cut was ordered none the less, destroying the operatives' faith in the industrial democracy plan. The American Federation of Labor was called in to help organize a union. On February 9, Local 1685 of the United Textile Workers was chartered.[52] Complaints of discriminatory discharges were at once heard. On April 5 a large protest parade marched through the streets of Danville and was addressed by President Green.[53] Five months later the union presented demands for the abolition of the stretch out system and the restoration of the 10 per cent wage cut. As the Company refused to deal with the union, a strike vote was taken in which 95 per cent voted to strike.[54] On September 29, 4000 came out on strike.[55] The Company immediately secured an injunction against picketing. The President of the Virginia Federation of Labor charged that the judge was a stockholder in the Company.[56] The Company refused all overtures for mediation.[57]

The strikers were faced with hardships and suffering. The first eviction occurred on October 6 as a threat.[58] Picketing continued despite the court order and several bomb explosions occurred at the homes of strikebreakers.[59] Under police pressure

[51] Stanley, Louis, "Danville: Labor's Southern Outpost," *Nation*, January 21, 1931, p. 68; Adamic, Louis, "Virginians on Strike," *New Republic*, December 29, 1930, pp. 163–164; Tippett, *op. cit.*, p. 212.

[52] Stanley, *op. cit.*, pp. 69–70; *Textile Worker*, February 1930, p. 652.

[53] *Textile Worker*, April 1930, p. 49.

[54] Richmond *Times-Despatch*, September 23, 1930.

[55] *Ibid.*, September 29, 1930.

[56] *Ibid.*, October 1, 4, 1930.

[57] *Ibid.*, October 3, 4, 1930.

[58] *Ibid.*, October 7, 1930.

[59] Tippett, *op. cit.*, p. 235.

the strike leaders abated the intensity of the picketing and as a result a large number of non-union men returned to work.[60] Yet the strike continued, although the mills were gaining. On November 24, 2000 re-entered the gates. The strikers were suffering from great privation. President Green and other Federation leaders were appealing for financial aid. Norman Thomas of the socialists, and the Emergency Strikers' Relief lent energetic help.[61] Mass picketing continued under great odds in the face of the determined methods of the State troops that arrived in November.[62]

The Company persistently refused the strikers' offers to mediate. On December 30, President Green addressing a strikers' meeting proposed arbitration by ex-Governor Byrd or his brother the Rear Admiral. Again the Company refused.[63] One month later the strike was called off.[64]

The willingness of the Southern mill hands to suffer privation was insufficient to overcome the effects of the deepening depression and to compensate for the decline in fighting spirit as well as resources of the organized labor movement of the country.

The decline of the United Mine Workers gave dual groups an opportunity to try for a foothold in the Kentucky coal region. The mines around Harlan, Kentucky, were controlled by the Peabody Coal Company, the Mellon interests, the International Harvester Company, and the United States Steel Corporation. Immediately after the Armistice, unemployment became widespread. The companies inaugurated a policy of spreading work to insure the maximum back flow of miners' wages to the company stores.[65] Had the miners been given full-time work, a part of their earnings would have been spent on other than necessaries, probably in non-company stores. In the absence of a union the Kentucky miners had the usual grievances against the companies. With the depression of 1929 came wholesale discharges and those retained were given but a day or two of employment weekly. In February 1931 wages were cut 10 per cent in some of the mines, followed by a similar cut in March. The United Mine Workers sent organizers, and discharges for suspected union sympathies began.

[60] Richmond *Times-Despatch*, October 21, 1930.
[61] *Ibid.*, November 25, 1930.
[62] *Ibid.*, November 27 to December 3, 1930.
[63] *Ibid.*, December 31, 1930.
[64] Tippett, *op. cit.*, p. 263.
[65] *New York Times*, September 28, 29, 1931.

In April, 18,000 came out on strike. In a gun battle between deputies and miners at Evarts on May 5, three deputies and a miner were slain. Forty-four indictments were returned against miners' leaders and sympathizers.[66] The Governor rushed militia to Harlan, and the miners greeted them with cheers as a welcome relief from the mine guards.[67]

At this point the I. W. W. entered the scene. The local authorities launched a ruthless campaign of suppression. The region was virtually turned into a concentration camp which outsiders entered at the peril of their lives. The I. W. W., now in charge of the strike, was unable to prevent starvation.[68] It was obliged to divide its scanty means between providing the necessaries of life to the strikers and the defense of the miners indicted for the Evarts shooting. The General Defense Committee was revived, and a campaign was begun in behalf of the imprisoned. The I. W. W. soon had a rival. The International Labor Defense of the communists rushed into the situation even though the defendants requested its non-participation. The new defender of the Kentucky miners was more successful than the I. W. W. in fund raising. Beginning in November 1931, a series of expeditions of literary men, social workers, and college students came to Harlan to aid in establishing civil liberty. Unfortunately these well-meaning people reckoned without the implacable prejudice of Southern communities against preachment of civic virtue by outsiders, especially urban Northerners known for their advanced opinions.[69] Moreover, local opinion was more prone to avenge itself on the strikers for the forced toleration of their prominent friends. In the trial seven of the principal defendants, including the organizer and the secretary of the Harlan local of the United Mine Workers, were convicted and sentenced to life imprisonment. The cases against the others were dismissed to save costs.

In December 1931, the communist National Miners' Union called a strike for January 1, 1932, in the neighboring Bell county. The response was small, and the leaders were arrested and charged with criminal syndicalism.[70] They were subsequently released without trial.

[66] *Industrial Solidarity*, May 12, 1931; *New York Times*, May 7, 1931.
[67] *New York Times*, May 8, 1931.
[68] *Industrial Solidarity*, June 2, 1931.
[69] *New York Times*, November 7, 9, 1931; February 11, March 24–31, 1932.
[70] *Ibid.*, January 2–5, 1932.

But the clearest illustration of the decline of the labor movement was the split into mutually warring fragments of the once powerful United Mine Workers.[71] For the first time since 1890 was any portion of the jurisdiction of that union permanently contested by a dual group.

The thirty-third convention of District 12, Illinois, meeting in February 1932, drew up a series of wage and other demands.[72] The operators countered by the demand for a drastic wage reduction to meet non-union competition. A strike began on April 1, 1932.

In the summer the operators were willing to grant $4.00 per day, the recently adopted Indiana scale. John Walker, District President, encouraged the miners to remain firm against any cut from the $6.10 wage, assuring them with more eloquence than a sense of realities that "he had one fight left in him and that would be against a cut." But early in July $5.00 was agreed upon, effective until March 31, 1933, and other modifications in working conditions were made, such as a partial six-hour day and a limited division of work in the mechanized mines. On the referendum vote the agreement was rejected by 25,792 to 10,124, the opposition centering in Franklin county due to the reduction in tonnage rates for pick miners.

At this stage, President John L. Lewis was invited to assist in negotiating a new contract. Lewis had been kept out of District 12 by the court agreement which ended hostilities between District 12 and the International office.[73] In the new agreement the $5.00 basic scale was kept, but though the six-hour day was dropped, the operators agreed to a more thoroughgoing division of work and to some other minor concessions.[74] In the referendum vote, to reassure the opposition faction, Walker allowed it to appoint watchers. However, the tally sheets of the vote disappeared under suspicious circumstances, the tellers asserting that they had been held up and forced to surrender them to parties unknown.[75] The District officials, with the approval of Lewis, at once declared a state of emergency, and, the operators' committee

[71] The following account is based on Perrigo, H. W., *Factional Strife in District 12, United Mine Workers, 1919–1933*, an unpublished doctoral dissertation in the Library of The University of Wisconsin.

[72] United Mine Workers of America, District 12, *Proceedings*, 1932, *Reconvened*, Vol. III, p. 1888.

[73] See Chapter XLI.

[74] *United Mine Workers' Journal*, July 15, 1932, p. 4.

[75] *Progressive Miner*, September 16, 1932, p. 1.

conveniently happening in Springfield on that day, the agreement was signed and the union officers considered the matter closed.[76]

But they reckoned without the majority of the membership. A revolt against both the District and International officers swept Illinois. At a mass meeting the resolve was made to continue the strike until an agreement was ratified by the membership beyond a doubt.[77] An auto caravan comprising thousands of miners descended upon mines and shut them down. The most spectacular success was the shutting down of the Peabody Company mines, in Christian county, a rockribbed conservative center.

The insurgents next turned their attention towards Franklin county, the most important coal producing area in the State and an old stamping ground of insurgency. The invasion of Franklin county was attempted by an auto caravan of over 20,000 striking miners. At the county line a large force of State police and deputies turned the caravan back by forcible means.

On September 1, 1932, 272 delegates representing miners' locals of Illinois and Indiana formed the Progressive Miners of America.[78] At the constitutional convention a month later, delegates from 95 locals, with a membership of 29,982 were seated. To insure against leader oligarchy the constitution forbade any officer from serving "more than two consecutive terms in any branch or branches of the Organization until such time as he has served for a period of at least two years at some active work in and around the mines." [79]

By November 1, 1932, the new union had signed contracts with mines employing about 15,000, mainly small producers, upon conditions similar to the ones negotiated by the United Mine Workers. The Peabody Coal Company has been the stronghold of the United Mine Workers and the chief obstacle to the success of the Progressives. The Company attempted to open its mines at Springfield and Taylorville with members of the United Mine Workers. Armed clashes ensued with a number of fatalities. The militia was dispatched to Taylorville. The Progressives settled down to a prolonged endurance contest. A relief organization was set up, and heavy assessments upon those working were levied.[80] In January 1933 Governor Horner attempted to arbitrate

[76] *United Mine Workers' Journal*, August 15, 1932, p. 8.
[77] *Progressive Miner*, September 16, 1932.
[78] *Ibid.*, September 16, 1932.
[79] *Ibid.*, October 14, 1932.
[80] *Ibid.*, January 13, 1933, p. 1.

between the United Mine Workers and the Progressive Miners, but failed.[81] The struggle continues with sporadic violence and with the Progressives apparently unable to make any inroad into the highly productive Franklin county.

The state of textiles and mining, the only two industries in addition to agriculture recognized as "overdeveloped" in the era of Coolidge capitalism and therefore objects of the supercilious pity of the "sound" industries, in reality presaged a situation which after the stock market crash of October 1929 was to spread slowly but surely over the entire industrial area.

The financial crash caught American capitalism with its lines overextended not only economically but also "ideologically." It was handicapped in framing a strategy for extricating itself out of the predicament by its recent boast of having perfected a method of solving all the more serious problems of economic society—the labor, consumer, and others. The terms capitalism and capitalist system, formerly found only in socialist and other anti-capitalist publications, had become during the twenties a term of common usage. Conservative Americans had ceased to deny that America was a capitalist country and to insist, as formerly, that it was just a "democracy" based on equality of opportunity, but had begun to speak confidently of the American capitalist system. Consequently, they no longer could dismiss a depression as an act of God, not the fault of the "system," or of the group of men in control; nor could they any longer speak of recovery as a matter of the working out of "economic laws" rather than the product of "recovery policy." When, under the leadership of Secretary Hoover, business men had consented to a mating of business with "science," the scientific management of Frederick W. Taylor broadened out to apply to whole industries and even to the nation's economic life as a whole, they shouldered responsibility for prosperity for the masses.

But there were also other, more tangible factors that impelled business to show greater solicitude for labor in this depression than in previous ones. When in the early twenties the unions had defeated the movement for wage deflation and then defeated the attempt to revise the country's immigration policy, they thereby helped to direct the expansion of American industry into channels which made profitable business dependent in good part

[81] *Ibid.*, February 10, 1933.

on a high spending capacity in the hands of the masses. The biggest expansion which ensued was in the automobile, radio, rayon, electrical domestic equipment, and other industries dependent on wages high enough to permit purchase of semi-luxury goods. It then became dangerous for the business community as a whole to "let down" these new and lusty industries by cutting wages. Thus, at least for the time being, business came to share the time hallowed view of the American Federation of Labor that the best cure for depressions was a widely distributed purchasing power, especially high wages. The Hoover policy of pressure on business to "make" employment and, above all, to refrain from cutting wages, was the result. If during the Coolidge prosperity, labor, as we have seen, had succumbed to the philosophy of business, it, in turn, now had the satisfaction of seeing big business conduct itself for nearly two years, from October 1929 till September 1931, whether as a result of an infiltration of labor's views or from motives of its own, in accord with the "political economy of labor."

President Hoover [82] called a conference of industrialists and labor leaders to head off the depression. The President announced a Federal appropriation of $700,000,000 for public works, urged the cities and municipalities not to cut down their construction, but above all appealed to the railroads and public utilities to make large appropriations for building. The most significant result of the conference was the decision to avoid wage cuts. President Hoover, the National Association of Manufacturers, government officials, conservative business journals, industrialists, and labor leaders supported the policy. The effect is shown by the following comparison of average hourly earnings in 24 manufacturing industries during the first year and a half in the depression at the beginning of the twenties and in the present one.[83]

[82] The following is based on Ozer, S. D., *The Changing Status of the Working Man*, an unpublished doctoral dissertation presented in the Department of Sociology of the University of Wisconsin, in the Library of the University of Wisconsin.

[83] Ozer, *op. cit.*, p. 211; National Industrial Conference Board, *Wages in the United States, 1914–30*, New York, 1931, p. 44.

Period of Year	1920	1929
Third Quarter	$.606	$.590
Fourth Quarter	.607	.592
	1921	**1930**
First Quarter	.567	.591
Second Quarter	.535	.592
Third Quarter	.506	.591
Fourth Quarter	.490	.582

While business men accepted the responsibility for maintaining high wages, they did not at once accept the responsibility for unemployment. Early in the depression some employers resorted to rationing of work, but still it was the exception rather than the rule. Labor unions supported this movement, as did large corporations such as the United States Steel Corporation. By the spring of 1930 business in general came to recognize the practice. Had the depression ended in 1930 the country would have felt that a public works program and purely local relief were adequate to raise the nation out of a depression. The theory of high wages would have been accepted as proved and no further questions raised about it. Staggering of employment would have been accepted as a final answer to unemployment, and the matter left there.[84]

However, the depression continued and deepened. Although the theory of high wages dominated during 1930 and the major part of 1931, it had been attacked in the latter part of 1930 by a leading financial journal. This was followed by an attack by certain bankers. Government officials charged that the banks were directly responsible for talk of wage cuts, and it was rumored that pressure was being exerted on President Hoover to secure his approval of general wage deflation. The bankers denied that they were behind a conspiracy to reduce wages. They claimed that wages were "controlled by impersonal economic principles." [85] Opinion among bankers was divided as to whether or not wages should be reduced although the balance of influence favored it. The wage deflationists among bankers received some support from industrial leaders, but most of the leading industrialists, the trade union leaders, railroad executives, and advertising interests opposed them.

The first real break in wage maintenance came in September 1931. Many small concerns had been cutting wages right along, but the large employers had maintained hourly rates, staggered employment, and cut salaries hoping that prosperity would soon return. Income continued to drop, the net income of 550 of the largest industrial corporations declined 68 per cent from 1929 to 1931.[86] On September 23, 1931, the United States Steel Corpora-

[84] *Ibid.*, p. 226.
[85] *Ibid.*, p. 233.
[86] Lubin, I., "The New Lead from Capitol Hill," *Survey*, March 1, 1932, p. 574.

tion announced a 10 per cent reduction in wages. The protests of organized labor and of members of Congress were of no avail. The effect is shown by the following summary of increases and decreases of wages and the number affected in manufacturing industries as reported to the United States Bureau of Labor Statistics.[87]

Four Month Period and Year	Number of Establishments Reporting Changes		Number of Employees Having Wage Changes	
	Increases	Decreases	Increases	Decreases
Last third of 1929	198	54	20,930	4,102
First third of 1930	86	139	23,958	19,489
Second third of 1930	20	380	7,607	62,185
Last third of 1930	17	381	1,096	39,307
First third of 1931	39	953	2,396	127,648
Second third of 1931	24	962	1,908	125,999
Last third of 1931	7	1,711	312	401,040
First third of 1932	21	2,936	1,278	390,775

The reduction of wages did not stimulate business revival. The stock market reacted favorably for a short period, but a renewed collapse brought many stocks to a new low. Had there been a marked upturn in business following the wage reductions, a death blow might have been struck at the theory that only by keeping up wages can a depression be controlled. However, the employers now advanced the theory that wage cuts would give more total purchasing power to the community while the bankers went back to the theory that wages were fixed by the law of Supply and Demand.

The workers took the wage cuts stoically, having been prepared by the press publicity given to salary and dividend cuts. The press had also given great publicity to the decline in the cost of living. From October 1929 to February 1932 the cost of living had declined 20 per cent as compared with a 13 per cent reduction in nominal wages.

Throughout the Hoover term the American Federation of Labor centered its efforts, aside from the campaign in textiles, on what might be called the politico-propaganda front, iterating and re-

[87] Ozer, *op. cit.*, p. 246, compiled by Ozer from *Monthly Labor Review* from October 1929 to July 1932.

iterating before Congress and the public its own theory of recovery through the protection and enlargement of mass purchasing power. On the problem of unemployment it demanded public works and the staggering of employment. It continued to insist that American workmen want jobs, not the "dole." At the convention of 1931 compulsory unemployment insurance was rejected,[88] one of the main arguments being that under such a system union men might be ordered to work alongside of a non-union man contrary to the policy of their unions under penalty of forfeiting their unemployment benefits.[89] But in the following year, with the number of the unemployed risen to an estimated figure of 11,000,000, the Executive Council at its meeting in July indicated a change of heart and at the convention of that year submitted a compulsory unemployment insurance measure embodying the following three principles: first, "the preservation of the right to become a member and to continue membership in a trade union; second, the cost to be a charge upon industry and borne entirely by the employer; and third, that the law should come wholly within the control and administration of Federal and state governments." The proposal was passed by a unanimous vote.[90]

Several events, in the sphere of the relationship of unionism to the law, came to relieve the deep gloom that enveloped the labor movement. In 1930 Chief Justice Hughes in giving the judgment of the United States Supreme Court in the case of the *Texas and New Orleans Railway Company* v. *Brotherhood of Railway and Steamship Clerks* [91] held, following the approval of unionism by Chief Justice Taft in the American Steel Foundries case, that the Company's open efforts to promote a company union violated the provisions of the Railroad Labor Act of 1926 which granted to each side the right to be represented for the purpose of collective bargaining by representatives of its own choosing. The action was begun in 1927 when the union applied to the district court for an injunction against the Company. The injunction was granted and upon its disregard by the Company a mandatory order was issued dissolving the company union. The circuit court of appeals upheld the lower court by a two to one decision and was

[88] American Federation of Labor, *Proceedings*, 1931, p. 298.
[89] *Ibid.*, pp. 381–398.
[90] *Ibid.*, 1932, pp. 41, 442.
[91] 281 U. S. 548, 50 Sup. Ct. 427.

in turn sustained by the unanimous decision of the United States Supreme Court.[92]

In the same year the nomination of Circuit Court Judge John T. Parker of the Sixth Circuit by President Hoover for the Supreme Court was defeated by the Senate in open session, in part on the ground of his decision in *International Organization United Mine Workers* v. *Red Jacket Consolidated Coal and Coke Company*,[93] in which, following the decision of the United States Supreme Court in the Hitchman case, he upheld the issuance of an injunction against union organizers proselytizing miners who had signed a "yellow dog" contract.[94]

The Senate's refusal to confirm Judge Parker's nomination was also influenced by other factors, but it nevertheless pointed to the existence of a friendlier public attitude towards organized labor than in the early twenties. Perhaps this was due to the virtually quiescent state of the labor movement since 1923. In 1932 the favor with which the public now viewed the labor movement was strikingly attested by the passage of the Norris-LaGuardia Act. Labor had expected a vigorous fight from the employers but the opposition surprisingly melted away in the final and decisive stage. The Act specifically declared that contracts, which labor with a purposeful disregard of euphemism designates as "yellow dog" contracts, are contrary to public policy and shall not be enforceable in the courts of the United States; minutely circumscribed the power to issue injunctions by stressing the procedural side of the matter; granted jury trials in cases of contempt not committed in the presence of the court; and obligated the judge concerned, upon the request of the defendant, to refrain from sitting in the contempt case.[95]

However, the improved legal status did not create jobs for the unemployed. The immediate interests of the unemployed as unemployed, such as adequacy of relief and absence of discrimination, were served by unemployed councils and leagues sprung up in many towns, sponsored by communists, socialist, and non-political groups. The communists were the first to enter the field, and by their energetic propaganda and organizing zeal made municipal and state governments as well as supporters of

[92] Witte, *op. cit.*, pp. 218–220.
[93] 18 Fed. (2nd) 839 (1927).
[94] Witte, *op. cit.*, p. 225.
[95] *United States Statutes at Large*, 72d Congress, Part I, pp. 70–73.

philanthropic private agencies keenly aware of the danger of driving the unemployed to desperation. The socialists developed like activities and were notably successful in Chicago. The unemployed organizations, whatever the "ideological" interest of their sponsors, specialized in collective bargaining with the authorities in behalf of the membership. As such these unemployed organizations were granted "recognition," formal or informal, in not a few localities. With the Rooseveltian New Deal, on March 4, 1933, a new period opened for both employed and unemployed.

CHAPTER XLV

CONCLUSIONS

To the American labor movement the conquest of the right to exist was ever its paramount problem. English employers had with few exceptions accepted unionism before the end of the Nineteenth Century; they continued, of course, to oppose the unions on specific demands. But to American employers unionism has always remained the invader and usurper to be expelled at the first opportunity. American employers were endowed by America's history with a will to power unrivaled for persistence and effectiveness by employers in other countries. American employers were steeled in their opposition to unionism and at the same time enabled to make that opposition effective, by the extraordinary strength of the institution of private property in a country which was occupied and settled by laboring pioneers, creating property for themselves as they went along and holding it in small parcels. For, unionism however conservative its objectives, is still a campaign against the absolute rights of the private property of the employer.

In England the situation was less favorable to the anti-union employer. There the advent of industrial capitalism synchronized with an agrarian revolution which uprooted and set adrift hundreds of thousands of her peasant yeomanry to join the urban proletariat. Thus eventually the English employers, in the defense of their rights, were denied the vital and valuable support which might have come from a land owning peasantry. England, therefore, permitted more drastic inroads into property rights than France, for instance, where the Great Revolution created peasant proprietors on a scale far vaster even than that on which the contemporary English enclosure movement destroyed them. The American Great Revolution was a Permanent Economic Revolution operating through the moving frontier and through an endless re-creation of opportunities for the common man to rise in the economic scale. Furthermore, this condition was hardly destroyed with the "disappearance of the frontier" in 1890 or with the coming in of modern "big business," combinations, mergers, and

trusts. Millions of small businesses continued and multiplied side by side with "big business." These failed by tens of thousands; but invariably others took their places and continued the thick social layer shielding the business system from assaults. Even mass bankruptcies, in depressions, failed to alter the situation. Much as the American middle classes, notably the farmers, were prone in depressions to go on crusades against "monopoly," they were also ever ready to flare up in resentment against labor insisting on maintaining wage and other standards and going on strike. Consequently, when the judiciary protected by its decisions the employer against legislation and unionism, it was not acting as a mere "tool" of a minority but reflected the strongly held view of the majority in the American community. Evidently, by these supports the American employer's will to freedom from unionism was kept from weakening.[1]

The anti-union employer's strongest ally, next to the middle classes, was the lack of a class consciousness in American labor. By and large America has never had a "settled" wage earning class. The "frontier" and the characteristic American "class mobility" accounts for a great part of it. Another cause was the free gift of the ballot which came to American labor at an early date as a by-product of the Jeffersonian democratic movement. In other countries, where the labor movement started while the workingmen were still denied the franchise, there was in the last analysis no need of a theory of "surplus value" to convince them that they were a class apart and should therefore be "class conscious." There ran a line like a red thread between the laboring class and the other classes. Not so where that line is only an economic one. Such a line becomes blurred by the constant process of "osmosis" between one economic class and another, by fluctuations in relative bargaining power of employer and employee with changes in the business cycle, and by other changing conditions.

American labor still remains the most heterogeneous labor class in existence—ethnically, linguistically, religiously, and culturally—, although the restriction of immigration will in time make it more homogeneous. With a working class of such composition, to have made socialism or communism the official "ism" of the move-

[1] The garment trades appear to offer an exception. The Jewish employer, perhaps due to a hesitancy to expose intra-racial quarrels to a none too friendly world and perhaps also to the wider influence of the *intelligentsia* in the Jewish group compared with Gentile circles, has shown a willingness to adjust himself to unionism.

ment, would have meant, even if other conditions permitted it, deliberately driving away many of the Catholics, with whom an irreconcilable opposition to socialism is a matter of religious principle. Consequently the only acceptable "consciousness" for American labor as a whole has been a "job consciousness," with a "limited" objective of wage and job control; which has not at all hindered American unionism from being the most hard hitting unionism in any country. Individual unions could, however, adopt whatever "consciousness" they wished.

Actually American labor history has been principally a fighting history. The more peaceful developments, the gradually evolving institutions for controlling employer and worker, were constantly menaced with complete uprooting at every turn in the fortunes of the conflict. Here the unique event assumed great significance, so much turned on the intangible, the *morale*, the unforseeable. For this reason this book has gone at length into the innumerable vital conflicts waged in innumerable industries.

The history of American unionism is far more a history of the particular unions than a history of the American Federation of Labor. Labor's organized conflicts have been fought on dozens of separate industrial battlefields. In the event of failure no Federation *generalissimo* was either ready or permitted to come to the rescue. Consequently the labor historian is obliged to weave together many separate strands of development. Into this web the red threads of the radical minority movements have been introduced without stint where they affected the pattern, as on the Western mining frontier, in the attempts to reach the unskilled, and in the garment trades.

What portions of the mentality or "ideology" of the leadership of American labor at the beginning of the period retained authority at its end? To this the answer is best given by following in order the points brought out in Chapter I on Conclusions from Past Experimentation. Dealing here, as we shall, with "ideology" or mentality, not with action, the term Federation will be a proper synonym for the labor movement.

1. The desire to escape from the uncertainties and the indignities of the wage system into self-employment under producers' co-operation, so strong in the earlier labor movements, never revived on a mass scale. Only here and there were co-operative union workshops attempted, more frequently with a "wage con-

scious" purpose than with an ideological one. So, the Chicago pattern makers' union long maintained such a shop in order to control possible price cutting by employers, by making bids on contracts, and observing to whom they were awarded.[2] However, the Amalgamated Clothing Workers of America had an ideological interest in the matter and, after a few shortlived shops after the war, established in 1928, following a strike, a shop of several hundred in Milwaukee, Wisconsin, that proved lasting. To that end the International office, which appointed the management, concluded a production contract with Hart Schaffner and Marx, the latter supplying the raw material. This plan was in operation for three years; thereafter the shop continued union owned but working for the local retail market.[3] In connection with labor banking, when enthusiasm was at its height, a few unions including the engineers' brotherhood were for a brief time carried away by the dream of a "wider" control of industry.

2. Alliances with farmers in "anti-monopoly" movements under farmer "hegemony" so characteristic between the end of the Civil War and the nineties, were never repeated—on anything beyond a local scale. Where such political alliances occurred as in North Dakota (after 1916), Washington (in 1920), and Minnesota (after 1918), labor's own purpose was clearly marked and, far from labor merging itself with the "producing classes," the undertaking was a partnership, with the interests of the labor partner clearly emphasized. In the La Follette campaign of 1924, the official launching of the candidacy was at the meeting of the Conference for Progressive Political Action, a labor body, at Cleveland, and the campaign centered in the industrial East.

3. The conviction that the espousal of social-revolutionary causes exposed the labor movement to the danger of suppression by mob violence or by the authorities driven to it by an hysterical public opinion, derived from the Chicago anarchist and Pullman strike tragedies, was only strengthened by the treatment meted out to the I. W. W. before and during the war, to the socialist opponents of the war, and to those suspected of connections with the Bolsheviki. At the same time the memories of the disruptive

[2] F. S. Deibler in Commons, John R., *Trade Unionism and Labor Problems*, Ginn and Company, 1921, pp. 489–494. Subsequently, this co-operative shop became a capitalistic shop owned by the former secretary of the union.

[3] Collins, George L., *The Amalgamated Clothing Workers' Shop in Milwaukee*, an unpublished manuscript in the library of the University of Wisconsin.

influence of revolutionary ideologies and tactics within the unions were forever kept fresh by the repeated incursions by revolutionaries into the union movement.

The rejection of revolutionism was, all in all, no craven surrender to superior force. It meant only that American unionism, cognizant that its own program of collective job control was beset with extraordinary difficulties in the American community saturated with individualism, saw the danger of making its fight a hopeless one by raising a red banner over its marching columns. But on issues which affected the material welfare and the human dignity of the wage earner, American unionism battled against the claims of private property to the bitter end and often with a reckless daring. It battled not as a "class conscious proletariat" but as a body of American citizens with an ideal of liberty of their own. This ideal of liberty differed from the anti-union employers' as it differed from the socialists' and communists'. Liberty had a meaning to the American unionist only when it meant recognition of his right to the job under conditions fixed by collective bargaining, a right buttressed by his power to appeal to a tribunal provided in the agreement. This ideal of liberty, liberty on the job, freedom from unjust discrimination and the freedom to face his boss "man to man," still appears to the unionist as realizable within a capitalism that "recognizes" the union.

In the future, however, should the present depression turn into a chronic one, a development far from unthinkable, the very job consciousness of American unionism is likely to lead it to the espousal of government management of some industries, in order to take up the slack in employment. But this would happen not because unionism had gone over to the belief in a pre-determined social evolution towards socialism, nor because it had come to condemn the profit system as immoral in itself, but on the pragmatic ground that the unemployed must be re-employed—by the government if private industry fails to do it. In the event of such departure from traditional American individualism, American unionism would be found side by side with Americans in general, not as a class separate from, to say nothing of a class arrayed against, the rest of the nation. Characteristically, the job consciousness of American unionism told in the espousal of national economic planning in 1932. National planning, in the mouths of the labor leaders who appeared before the La Follette committee,

meant a reapportionment of the national income in favor of wages, creating more jobs for the unemployed, and other time hallowed union interpretations and demands.

4. The "minority consciousness," which had early made the American labor movement "liberal" rather than governmental-minded, could not, of course, be weakened by such episodes as the use of the Lever Act passed in 1917 to curb profiteering by business men for the duration of the war, as a basis for the government's application for an injunction in the miners' strike in October 1919, after the government itself had attested to the end of the war by dissolving the Fuel Administration; nor could it be weakened by the alacrity with which the Railroad Labor Board rushed to deflate railway men's wages and to declare as "outlaws" the shop crafts, which, acting entirely within their legal rights, refused to accept its award reducing wages as binding, and went on strike. The call to fight "bureaucracy," given so prominent a place in the Portland Declaration [4] of 1923, in which the Federation invited business to make common cause with itself, doubtless with the motive of tempting business to recognize unionism, was a genuine expression of organized labor's attitude at the time. The New Deal, to be sure, pushed the labor movement off the dead center and helped the miners, clothing, textile workers, and others to regain lost ground as well as to win new territory, and doubtless showed labor that government could be of aid to unionism. Nevertheless, the permanent abandonment by labor of its traditional "liberalism," begotten of its "minority consciousness," on the whole remains an open question. It is certain that as long as government is kept in the center of the industrial arena by general depression and other economic problems, labor will hardly revert back to the "economism" of the twenties. On the contrary, it will exercise unremitting pressure on government, even if no great success may be anticipated. Such pressure may take the form of manipulation in Congress, of strike movements, or of close agreements with other dissatisfied groups.

5. The early acquired profound skepticism with regard to labor protective laws persisted throughout this period and was modified only slowly and reluctantly. The failure of the Colorado legislature to obey the popular mandate for an eight-hour day in 1903–04, and the fate of the two Federal child labor laws and of the mini-

[4] American Federation of Labor, *Proceedings*, 1923, pp. 31–34, 264–265.

mum wage law for women in the District of Columbia at the hands of the United States Supreme Court, were hardly conducive to engender faith in the efficacy of improvement by legal enactment. Gradually, however, organized labor came to realize the limitations of the union method in helping the less organizable workers, notably women and children, and it withdrew its objection to the legal minimum wage for women, heretofore dictated by the fear that it might become the thin end of a wedge for such laws applicable to all. The objection to the legal regulation of hours had been overcome even earlier. With the wave of workmen's compensation legislation beginning in 1911, organized labor joined the pioneering non-labor reformers and helped to make it nearly universal. Labor, likewise, acquired a genuine interest in the administration of labor laws. Slower, however, was the conversion to old age pensions and unemployment insurance. The considerable health insurance movement during the years immediately before the war received only scattered union support. Old age pension laws were formally indorsed by the Federation, but the labor of getting them enacted devolved upon others. Compulsory unemployment insurance was rejected by the conventions of 1930 and 1931 and it was only when the depression was three years old and the number of the unemployed exceeded ten millions that the Federation changed its stand. The American species of unionism, in contrast with the English and the Continental, still places far less value on welfare legislation than on improvements attained by direct collective bargaining.

6. The non-partisan political policy of Gompers still stands unchallenged, notwithstanding that the support of La Follette in 1924 was in substance a deviation from it. Although the Federation insisted that it was an alliance only for the duration of that campaign and therefore not different from the indorsement of Wilson in 1916, or from the indorsement of Republican and Democratic candidates for governor or Congress, it is true that in indorsing the La Follette candidacy the Federation lent its strength not to a "going concern" but to one still to be built. After the election, however, the Federation returned to a "stricter" construction of its non-partisan policy. Local union groups have never been prevented from experimenting with farmer-labor parties or from indorsing socialists. The effect of the New Deal will probably strengthen tradition. It demonstrated that labor

can attain more by joining its lot with liberal leadership in the old parties (for if liberals are placed on an old party ticket, the cause of liberalism gets the automatic support of the voters traditionally aligned with that party), than when it starts building anew on the basis of a more rational political realignment.

7. The rôle of intellectuals in the labor movement has not greatly increased in importance. Labor leaders still refuse to learn from intellectuals the direction in which they should guide their organizations and the objectives they should pursue. They are more willing, however, to benefit from the intellectual's expert training as statistician, lawyer, accountant, and research worker. With increasing government intervention in industrial relations the use of the intellectual as expert is bound to increase.

8. The abhorrence of dualism in organization has not diminished. The American Labor Union and the Industrial Workers of the World succeeded the Knights of Labor as the Federation's hated rivals from 1903 to the end of the war. After the war, Foster's Trade Union Educational League, although anti-dualist in theory, was declared a dual body on the ground that its activity in the unions was dictated by a political group, the communists. After 1927, the communists, driven from the unions, turned to dualism outright. The Amalgamated Clothing Workers of America, theoretically of secessionist origin, was treated as a dual body despite its outstanding success, and was admitted into the Federation only through the gate of a formal peace with the United Garment Workers, the "regular" union. On the non-partisan political policy, the Federation might resort to the device of loose construction, but scarcely ever on dualism.

9. The attitude towards the unskilled and the unorganized differed from union to union and fluctuated with the fortunes of the whole labor movement. The picture of self-centered craft unions, callous to the plight of the helpless groups, is greatly overdrawn and based on extreme instances. It is enough to recall the unselfish aid given by the Chicago teamsters to the struggling garment workers which embroiled them in the disastrous struggle of 1905; the spirit of self-sacrifice shown by the skilled crafts in the meat packing industry towards the unskilled in the strike of 1904; the Denver general strike in 1903, where the Federation unions co-operated with the American Labor Union; the general strike in Philadelphia in 1910, in sympathy with the striking street

car men; the attempt to organize the unskilled on the New York subway construction job in 1902; the recognition given to the hod carriers and building laborers' union by the building trades councils; the recognition and encouragement of the maintenance of way and shop laborers' union by the Railway Employes' Department; and the widening of the base of admission in many unions, notably by the machinists in 1911, which enabled that union to reach a membership of 330,000 in 1920. These expressions of sympathy contrast with the callousness towards the unskilled shown by the United Textile Workers between 1908 and the war, which opened the gate wide to the I. W. W., and with the ingrown craft unionism of the 24 unions "co-operating" in the steel strike of 1919. It is also noteworthy that the mine workers' industrial union came into existence and stood in the foreranks of solidarity-practicing unionism without a philosophy different from the Federation's as a whole. The Southern campaign, 1928–31, too, is an indication of the Federation's sensitiveness to the criticism that it is little concerned with the low paid groups. Yet, on the whole, the Federation unions are most sure of themselves when they tread on ground demarcated by craft lines, and it has therefore remained the preferred ground of many of the leaders.

Industrial unionism, the only form possible in the mass production industry, it is evident, will come, certainly not through a cutting up of existing craft unions, and probably not by the latter relinquishing outright their mere theoretical (because unexercised) jurisdictions in these industries in favor of the American Federation of Labor, to be reassigned to newly created industrial unions; most likely, the craft unions will be only gradually converted to the necessity of giving these industrial unions an unclouded title to their jurisdictions. For the time being, the Federation's old-time difficulties with jurisdictional disputes will be multiplied from this quarter, provided always that the industrial unions in the basic industries will not make the problem easy for the craft unions by succumbing to employer resistance and to the infantile diseases of unionism. Should the craft unions, however, choose the more generous path, as the sentiment at the San Francisco convention in 1934 foreshadowed, the Federation will repeat the early history of the United States of America, when the several states relinquished their Western land claims to the Federal Union, and out of the thus formed domain later came new states.

Like the Western states, the Federation's new industrial unions are also to have a preparatory phase as "territories" under a National Council with a "governor" appointed from Washington.

10. On the immigration question, the attitude of organized labor has if anything become more exclusionist. Early in the Federation's career, some of its outstanding leaders, Gompers included, were hampered by the self-consciousness of the immigrant counseling raising the country's barriers to later immigrants. The intensifying of American nationalism with the war made the Federation's immigration policy the policy of the nation. On the race problem within the nation, the Federation's stand has always been liberal. It insisted that International unions must not debar Negroes by specific regulations in their constitutions. However, admission to membership is voted by locals, and the Federation's good intentions have to be strained through the International and the local concerned.

11. Throughout this period, the trade agreement continued the goal of organized labor. The Western Federation of Miners, officially professing socialism after 1901, and driven by a militancy which antedated its embracing of socialism, at first refused to conclude formal agreements with employers, but later chose to conform. Even the I. W. W., with its anarcho-syndicalist philosophy, came dangerously close to concluding an agreement with the farmer employers of North Dakota and had its revolutionary virtue saved only by the anti-radical hysteria of 1917 which laid it low. From the victory of Mark Hanna, who had recognized his union miners as early as 1874, to the New Deal, the objective of the American labor struggle has been for the recognition of the union as a co-partner in industrial government.

Was the course of the labor movement in the decades between McKinley and the second Roosevelt a mere accident of leadership, as the "neo-liberal" theory of the American labor movement asserts? [5] Are the Marxians right when they explain its non-revolutionary character as a "necessary" but temporary phase inevitably to be succeeded by "radicalization" and the defeat of the traitorous "union bureaucracy"? Or is the so-called "experimental school," founded by John R. Commons, right when it treats American labor history as the account of a pragmatic

[5] Ware, Norman J., *The Labor Movement in the United States, 1860–1895*, D. Appleton and Company, New York, 1929.

process of labor's endeavor to build and maintain unions and enlarge their scope as well as the scope of individual unionists by a constant adaptation to "environment"? This "environment" is to that "school" both material and mental, with portions of each changing faster than others. And the continuous "experiment" of the labor movement with the employers and the American community is at the same time an experiment with the workers' own mentality, in turn played upon by "environment."

The "neo-liberal" theory springs from the "ethical socialist" mentality, which, unshackled by the chains of determinism, believes that the labor movement in the middle eighties under the Knights of Labor was an "advanced" movement in the class conscious sense; if its revolutionary ideology was less clear than that of its contemporaries on the Continent, its *élan* and mass character more than made up for it. It lays the responsibility for America's failure to acquire a modern labor movement upon leadership: Powderly, of the Knights of Labor, was an empty headed phrasemonger and Gompers a Mephistophelian character, who knew only too well how to work his will on the weak human material opposing him. To the "neo-liberal" school, also, the immediate postwar period with its widespread unrest, militancy and "insurgency," was the time when another opportunity was missed. It is easy to infer from such an exposition that had there been an "idealist" in the place of Gompers, labor history would have taken a different turn.

The "experimental school" asserts that the neo-liberal labor historians in deploring the succumbing of the Knights of Labor with its "advanced" philosophy to the more narrow-minded American Federation of Labor, simply mistook the crusading zeal of "anti-monopoly" for the labor pains of a revolutionary labor movement—just as in Russia the "populist" socialists mistook the village commune, which for all of its devices of "equalized land use" still bred *Kulaks* by the million, for the foundation of a socialist order in the full sense. The labor "radicalism" of the eighties, if given full development, would have eventuated in a paradise of farmer owners, small manufacturers, and shopkeepers—in brief, in an American *Kulak* paradise, from which labor unionism as well as trusts would have been expelled at the point of the sword. The "experimental school" also refuses to perceive the crest of a real revolutionary wave in the militancy of the postwar period.

Unrest there certainly was, and a wish to "show the employer"; as there was a groping for a wider solidarity, for more mutual help among the several trades, and a concern for the unskilled and the unorganized. But American labor history has presented many fluctuations in militancy and breadth of mutual sympathy. The American labor mentality is innocent of revolutionary class consciousness but not of fellow feeling for other workers. Again, the "experimental school" is greatly impressed by the fact that many labor leaders having started as radical socialists ended as job conscious unionists. De Leon's "labor fakery" explains these leaders far less plausibly than the hypothesis that having assumed responsibility for their organizations, they perforce became deeply aware of the "real" American environment and of what will hold their membership together, and have shaped their program as any intelligent army leader adjusting his strategy to the topography of the battlefield, to the strength of the enemy, and to the state of the *morale* of his own troops. On the matter of leadership, so greatly stressed by the "neo-liberal" school, the Wisconsin or "experimental" school recognizes that leadership is indispensable; also that the necropolis of the labor movement is thick with the graves of "one-man unions" that once flourished but perished when the particular leader quit. But leadership is not free to create at will.

To the Marxian analysis and forecast of an inevitable "radicalization" of the American labor movement the reply of the "experimental school" is that whatever confirmation the postwar developments in Europe and America have given to Marx's analysis of the *economic* trends, the *psycho-political* trends have moved in the opposite direction.[6] The middle classes, though greatly shaken economically, have stubbornly refused to accept the Marxian verdict that politically and socially they are doomed merely to choose between a capitalist or a proletarian hegemony. Instead, in some countries the middle classes have managed to find expression in an independent political power and to impose upon capitalist and proletarian alike a national discipline reflecting their own mentality, which, depending on circumstances and the political skill of labor leaders and progressives, may find expression either in Fascism or in a New Deal. In a society of the non-Russian or Western pattern the strategic position of the middle classes precludes a straight "proletarian" transformation. Only in Russia,

[6] Corey, L., *The Decline of American Capitalism*, Covici-Friede, New York, 1934.

where capitalist reserves in the shape of middle classes (the land hungry and "mir"-minded peasantry was hardly that) were absent and where the political incapacity of the propertied classes in general was simply phenomenal, did it prove possible for a bold group of really revolutionary intellectuals to seize power and to hold it.[7] In America, whether we are to designate the economic order of the day as banker or imperialist capitalism or just plain capitalism,[8] matters are unaltered as regards the hopelessness of a communist program.

The Marxian theory of the labor movement builds too much on theoretically and statistically demonstrable economic trends, confident that mass movements are in the last analysis controlled by those forces. It is part and parcel of the more general Marxian theory of social institutions, political, legal, ecclesiastical, and so forth. But the Marxian theory of institutions was after all the product of an observation of their development from feudalism to *laissez-faire*, in other words for a period in history in which the dominant institutional trend was from the control of the individual to his emancipation from such control. The dynamic factor in this development was the capitalist entrepreneur whose job it was to demolish the obstacles that stood in the way of his development of market and production to the end of greater profits. As the process was a negative one, to remove obstacles, the end product tended to be the same in all the countries subject to its operation. Hence the conclusion that social science, Marxism, could forecast the future institutional "superstructure" from a study of the economic "base."

In our own day, when expansion of markets has apparently ceased and has given way to contraction; when there are no more backward countries willing to play the auxiliary and subordinate to the older industrial nations; in the age of *Die Autarkie* and of what the French have aptly called *compartimentage économique*, the trend of institutional development is evidently to-

[7] See Perlman, S., *A Theory of the Labor Movement*, Chapter II.

[8] For the rest it is open to question whether on its attitude to labor the pre-"banker" capitalism differed from the present day capitalism. Certainly, whatever their other differences, on unionism the banker-hating Henry Ford, psychologically the linear and exalted successor of the earlier employer-capitalists, and the General Motors Corporation seem entirely at one. Also, the United States Steel Corporation, the creature of the House of Morgan, and the smaller employers in the National Metal Trades Association proved equally implacable in their hostility to unionism.

ward a reimposition of control, national and group, over the individual, whether he is a capitalist entrepreneur, a farmer, a shopkeeper, or wage earner. But the process of reimposing control after a century or more of *laissez-faire* is apt to proceed in a vastly different way than the process of decontrol which destroyed feudalism and mercantilism. In this positive process of institutional construction, contrasting with the earlier negative one of destruction, the various cultural molds which have shaped a given country are bound to play an enormous rôle. No longer can one forecast with certainty what the institutional forms will be, no longer has one a right to expect them to be uniform in all countries in which they were uniform during *laissez-faire*. Such forces as nationalism, religion, racialism and even the plain adventurism of today's political *condottieri* come vastly into play. In such a volcanic situation, the labor movement can hardly afford to go on the assumption that the angels of history are on its side and to act with the self-assurance of the anointed of God. Here the experimental method characteristic of the labor movement as distinct from that urged by the revolutionary intellectuals, is the only one fitting the situation. From the angle of such an approach, the "buckled-up" categories of Marxism, "capitalism," "labor," are replaced by a medley of many groups, economic, political, cultural,—within the Marxian categories but also without, "organic groups" all—, each struggling to have a hand in shaping the emerging institutional set-up—for economic advantage, for greater power, for the chance to impose one's own mentality or "ideology" upon the nation and especially upon the growing generation. Moreover, the "experimenting" labor movements realize that in a revolutionary situation (not in the sense in which communists employ the term but in the sense of a situation in which institutions are quickly altered), a wrong step due to the belief that theoretically and statistically demonstrable tendencies actually control mass conduct, might mean the death of these labor movements, with the hope of resurrection transferred into the realm of mere faith.

But would not the weakening of the labor movement after 1905 and again after 1920 have been averted and its specific immediate objectives more nearly secured, had labor been spurred on by a philosophy that looked beyond these objectives?

The matter of the pragmatic value of a revolutionary labor

ideology raises a number of questions. It is necessary to recall that on numerous occasions it has disastrously intensified the alien character of the labor movement in American eyes and has therefore furnished a "free gift" to the employers. Unity within was also endangered through the clash of the new ideology with old religious and political loyalties. Also, it is pertinent to recall that, due to the limited spread of labor organization, at no time has less than five-sixths of the American labor scene been open for occupancy by heterodox labor movements. Indeed we have seen how zealously but ineffectively first the Industrial Workers of the World and later the communists struggled to occupy the vacant area. The exceptions are the German and the Jewish immigrants who brought a revolutionary ideology with them, and who were cemented by it as unionists. On the other hand, American and immigrant workers other than German and Jewish, notably the coal miners, have repeatedly demonstrated their excellence as union fighters without any obvious dependence on revolutionary ideology. We have seen the ultra-conservative typographical union as the model in long range planning and in the execution of its plans regardless of cost. Moreover, Foster the communist was incomparably less successful in organizing the "masses" than Foster the agent of Gompers in the steel campaign.

However, assuming that leadership must conform to "environment" and to "home grown" labor mentality, what judgment can labor history render on the course and policies actually pursued by American labor leadership?

The chief strategic blunders, as we have seen in a historical review, were made in the steel industry. Labor lost its battle of the Marne on the battlefields of that industry in 1901.[9] A gesture of solidarity by the Federation and the coal miners at that time, even if it would have endangered organized labor's reputation for sacred observance of agreements, might have given victory to labor instead of permitting without a more general mobilization of the forces of labor the erection of an anti-union Gibraltar. Again, during the World War, earlier and more determined pressure on the steel industry might have retrieved the early loss. In either situation the chances of permanent success were far from brilliant, and especially in the war-time case success might have led even to an earlier "American Plan" campaign.

[9] See Chapter IX.

But that came in any event. To be sure, the Federation lacked the constitutional powers to compel action by the unions, but its moral power might have been mobilized to better effect.

Another grave error was permitting respect for union autonomy to override moral considerations in instances of graft and dishonesty in individual unions. Granting that the Federation's disciplinary powers over its constituent International unions and their locals are virtually *nil*; yet a more determined upper tier of leaders might have forged the weapon of "control by investigation." To do so would not have made it necessary to introduce alien philosophy, for honesty is the most honored virtue of Puritan America. The Federation's fatalistic attitude towards the widely admitted existence of graft in certain building trades situations scarcely harmonizes with its thorough appreciation of the value of a friendly public opinion. Perhaps even the jurisdictional disputes, unionism's most grievous offense against friendly employers and proven so costly in wages lost and in forfeited public regard, might have been mitigated by a more determined moral pressure on the part of the Federation's leadership.

The easy surrender to business philosophy during the Coolidge period seems to have been another strategic error, although in this regard the "ideological" unions led the way. The more tradition-bound, job conscious unionists followed a truer instinct.

To sum up, if historians are empowered to render verdicts on those who are making history, the verdict is that the general plan of labor's campaign through the forty years shows an appreciation of realities, but that several critical defeats came from lack of mutual co-ordination of labor's fighting armies.

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